

O R D E R S,

STANDING ORDERS,

A N D

R E S O L U T I O N S

O F T H E

Honourable House of COMMONS,

Relating to

Their F O R M S of PROCEEDING,
PRIVILEGES, &c. &c.

Collected out of the JOURNALS,

A N D

Digested under their several H E A D S.



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IF it is reasonable to wonder, that this Manual was never published before, it will be so much the less necessary to apologise for publishing it now : And, surely, if it appears, that not only all who have Seats in Parliament, or who are in a Capacity to sit, or who have Business to transact there, but the whole People in general, are interested in the Rules and Orders of their Representatives, it will not be disputed, that they ought to be acquainted with them ; and the Persons will rather deserve their Thanks than Censure, who put it in their Power to be so.

Now, barely to read them, is to be convinced of this ; for they will be found to reach almost all Orders of Men, either mediately or immediately, from the Judge to the Bailiff's Follower, and from the Petitioner at the Bar to the Footman on the Stairs, and the Vagrant in the Street : And it is fit for those *without Doors* to reflect, with a due Mixture of Reverence and Attention,

that the Word *Privilege* is become as sacred as the Word *Law* ; and that Ignorance may be held as insufficient a Plea, in case of an Offence, against the one as the other.

Then for those *within*, if we may presume to speak of them at all, it can scarce be said, that they are qualified for the Trust reposed in them, till they are acquainted, in some Degree, with the Methods in which it is to be discharged : And this is a known Truth, that Men of very slender Parts, by rendering themselves thorough Masters of the Forms of the House, have made themselves considerable, have fancied themselves to be more so ; and, by the mere Dint of calling to Order, and quoting Journals and Precedents, have sometimes defeated Arguments they could not answer, and triumphed over Talents and Abilities that infinitely transcended their own ; which is all that need be said to recommend a Study, hitherto, perhaps, too much neglected ; and to justify a Publication, that could never be more seasonable, than when so many new Members are just entering into the Service of their Country.

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ERRATA.

Order 3. Page 5. to be placed under the Head of *Quarrels*,
P. 61. P. 29, Line 3, for *read* insert *ordered*. P. 30. L. 13.
after the Word *Bill* add *is*; and in the same Line, for *on* r. *one*.
P. 31. L. 6. for *House* r. *Time*. P. 32. L. 18. after *Poundage* r.
do desire. *Ibid.* L. 20, 21. dele *and that*. P. 43. L. 11. for
concerned r. *conceived*. P. 44. L. 31. after *Resolution* add *of the*
Committee. P. 49. L. 32. after *House* add *which*, and for *hold*
r. *holds*. P. 50. Paragraph 2. touching *Conferences*, L. 1.
add *two Questions arising, viz.* *Ibid.* L. 6. after *and* add, *the*
House being; and after *indued* dele *the House*. *Ibid.* l. 7. for
and being made, r. *it was*. P. 51. Article 3. to follow the Or-
der of *August 25. 1660*. P. 52. P. 53. L. 22. after the Word
yield add *to*.

Note, The first Article of Page 51. unintelligible as it there
stands, is strictly agreeable to the Copy, and the Editor would
not presume to restore the Sense from any Conjectures of his
own.

ORDERS

OF THE

HOUSE of COMMONS.

Orders of Decency and Behaviour in the House.

20 June, 1604.

A Greed for Order, upon Occasion of a Speech uttered by *L Lewis L*, that whosoever hisseth, or disturbeth any Man in his Speech, shall answer it at the Bar, as a Breach of Order, and Contempt of the House.

7 May, 1607.

Ordered upon Question, That in going forth no Man should stir until Mr. Speaker did rise and go before, and then all the rest should follow after him.

9 March, 1625. 1 Car.

Ordered, That none shall go out of the House, when it riseth, before Mr. Speaker.

15 March, 1625, 1 Car.

Ordered, That no Man shall go out from the grand Committee before the Speaker take his Chair again, and so the House rise in the usual Order.

17 May, 1614.

Ordered, That whosoever standeth in the Entry pay 12 d. presently to the Serjeant.

Revived 6 and 9 February, 1622—22 February, 1625—15 January, 1641—14 December, 1660, and 7 June, 1661.

B

Thursday,

Thursday, 15 February, 1620.

The Speaker told, That he was too courteous, for that he put off his Hat too often; he should not move it until the third Congee.

16 November, 1620.

Ordered upon the Question, That all those which disturb the House, by rushing into the Entry before Mr. Speaker, at the rising of the House, shall be called to the Bar.

26 March, 1627, 4 Car.

Ordered, That all which stand in the Entry, or go out disorderly before the Speaker, shall pay 12*d.* a-piece to the Serjeant, and so likewise at the grand Committee, when the House sitteth.

Revived 14 June, 20 January, and 9 February, 1627, and 16 February, 1643.

12 November, 1640. Post Meridiem.

That whosoever shall go forth of the House in a confused manner, before Mr. Speaker, shall forfeit 10*s* and that the Reporters might go first to take their Places.

Merturii, 25 November, 1640.

Ordered, That when any Message is to go up to the Lords, none shall go out of the House before the Messengers.

Veneris, 4 December, 1640.

Ordered, That whosoever does not take his Place when he comes into the House, or removes out of his Place, to the Disturbance of the House, shall pay 12*d.* to be divided between the Serjeant and the Poor; and whosoever speaketh so loud in the House, when any Bill or other Matter is reading, as to disturb the House, shall pay the like Forfeiture.

Mercurii,

Mercurii, 5 May, 1641.

Resolved, That if any Man shall whisper, or stir out of his Place, to the Disturbance of the House, at any Message or Business of Importance, Mr. Speaker is ordered to present his Name to the House, for the House to proceed against him as they shall think fit.

Mercurii, 17 November, 1641.

Ordered, That the Serjeant shall desire the Gentlemen Members of the House, to take their Places when they come into the House, and not to stop up the Passage in the Time of Prayers.

Martis, 14 December, 1641.

Ordered, That the Members of the House that are gone up to the Lords now, before Mr. Speaker, shall pay their 5 s. a-piece.

Lunæ, 17 February, 1644.

Ordered, That no Member do presume to go over the Seats, or cross the House, to the Disturbance of the House, or read any printed Book in the House; and that such Member as shall so offend, shall pay 12 d. to the Box for the Use of the Poor.

Veneris, 19 September, 1656.

Agreed for a Rule, that whilst any Stranger is in the House no Member ought to stir out of his Place, nor speak unto another.

Sabbati, 1 June, 1661.

Ordered, That whensoever the House is to rise, every Member keep their Seat till the Speaker go out, and then every one in their Course orderly as they sit, and not over the Forms.

Ordered, That all such of the Members of this House as climb over their Seats shall pay 12 d. to the Serjeant attending this House.

Sabbati, 8 February, 1661.

Ordered, That all the Members of this House, as shall interrupt the House in Debates, by private Discourse, be called to the Bar.

Luna, 22 January, 1693.

To the End that all Debates of this House should be grave and orderly, as becomes so great an Assembly, and that all Interruptions shall be prevented by it;

Ordered and Declared, That no Member of this House do presume to make any Noise or Disturbance, whilst any Member shall be orderly debating, or whilst any Bill, Order, or other Matter, shall be reading or opening; and in case of any Noise or Disturbance, that Mr. Speaker do call upon the Member, by Name, making such Disturbance; and that every such Person shall incur the Displeasure and Censure of this House.

Veneris, 23 March, 1693.

Ordered, That no Member of the House do presume to take Tobacco in the Gallery of the House.

Ordered, That no Member of the House do presume to take Tobacco at the Table, sitting at Committees.

Veneris, 10 February, 1698.

Ordered, That every Member of this House, when he comes into the House, do take his Place, and not stand in the Passage as he comes in or goes out, or sit or stand in any of the Passages to the Seats, or in the Passage behind the Chair, or elsewhere, that is not a proper Place.

Revived 15 February, 1720.

ORDERS *for the Speaker's taking the Chair,
and adjourning the House, and Vacancy of the
Chair, &c.*

Martis, 5 January, 1640.

IT was ordered as a constant Rule, that Mr. Speaker is not to go to his Chair, till there be at least forty in the House.

Veneris, 2 April, 1641.

Ordered, That whereas among the Commissioners Names for the Counties of Oxon and Gloucester, and the City of Gloucester, Mr. Speaker is only named *William Lentball, Esq;* it is now *Ordered,* that it should be expressed *William Lentball, Esq; Speaker of the House of Commons,* and that he be ranked in the first Place.

Lunæ, 31, January, 1641.

Ordered, That Mr. Speaker shall have a Warrant to stay at any time, to apprehend and stay such Members of this House, as he shall be informed do either send Challenges, or receive or entertain Challenges.

Jovis, 19 December, 1678.

Resolved, That Mr. Speaker shall at any time adjourn the House, without a Question first put, if it be insisted on.

Resolved, That this Resolution be entered in the Journal, as a standing Order of this House.

Sabbati, 12 April, 1679. Post Meridiem.

Resolved, &c. That it be a standing Order of the House, that from henceforth, upon any Vacancy of the Chair, no Motion be made for chusing of a new Speaker, till after 11 o'Clock

Jovis, 20 Martii, 1728.

Ordered, That for the future, when any Letter or Packet directed to this House shall come to Mr. Speaker, he do open the same, and acquaint the House at their next sitting with the Contents thereof, if proper to be communicated to the House.

ORDERS touching Elections and Returns.

Lunæ, 23 February, 1623. 21 Jac.

A Greed a general Warrant to Mr. Speaker, to make Warrants for new Writs, in case of Death or double Returns.

25 February, 1623.

Ordered upon Question, That all Petitions about Elections and Returns shall be presented to the Committee of Privileges within a Fortnight from this Day, or else to be silenced for this Session.

5 March, 1623.

Upon Question, all Affidavits so taken in any Court concerning Elections, Returns, or any thing depending thereupon to be rejected, and not used hereafter.

15 February, 1625.

All Petitions touching Elections to be preferred within fourteen Days after the Return.

18 February, 1625.

All Petitions concerning Elections past to be delivered in before *Thursday* Fortnight, and for other Elections to be made hereafter, a Fortnight after their Return.

20 March, 1626. 3 Car.

Ordered, Warrants to issue under Mr. Speaker's Hand to the Clerk of the Crown, for Writs for new Elections in the room of the several Places waved, as aforesaid; and a general Warrant to Mr. Speaker, without further Motion, to make Warrants to the Clerk of the Crown, for new Writs upon Elections of any other doubly returned, or upon any Place to grow void by Death during this Parliament.

20 January, 1626. 4 Car.

A general Warrant to Mr. Speaker upon Deaths, to make Warrants for new Elections, without Motion, as in other Cases upon Elections.

It is upon the Question ordered, that all which are doubly returned shall make their Election for which Place they will serve, upon, or before, this Day Seven-night.

It is this Day ordered upon the Question, that all such as will question any Election already returned, shall do the same by Petition, to be delivered to the Committee of Privileges within fourteen Days next following, and for those Elections hereafter to be returned, within fourteen Days after the Return thereof.

Revived 16 November, 1640. 26 April, 1660.

28 March, 1627. 4 Car.

Every one that is doubly returned to make his Election now, in the House, or else the House to make Election for him.

16 April, 1640.

Ordered, That they that are by more Indentures than usual returned, shall withdraw themselves from sitting in the House, till the Committee for Privileges have further ordered it, and the Committee be desired to expedite their Business.

Veneris, 6 November, 1640.

This Committee is appointed to examine and consider all Questions to grow and arise this Parliament, about Elections and Returns, and other Privileges of the House ; and to report their Opinions and Proceedings therein to the House ; and have Power to send for Records, Witnesses, and Patties, and to hear Council ; and are for this Purpose to meet this Afternoon, and afterwards every *Saturday, Tuesday and Thursday* in the *Star-Chamber* after Dinner.

Ordered, That those Petitions this Day delivered into the House, concerning Elections, shall be bundled up, and delivered to the Committee of Privileges, and they to consider which of them to fall in hand first.

Mercurii, 10 November, 1640.

Moved, that such whose Elections are questioned, and are doubly return'd, shall be exempted from making their Choice, for which Place they will serve, till their Elections be determined.

Veneris, 10 December, 1641.

Whereas the House of Commons has received Information, that Letters from Peers are directed to Boroughs, that are now to make Elections for Members to serve in this Parliament, they conceive that all Letters in that Nature from any Peers of this Realm do necessarily tend to the Violation of the Privilege of Parliament, and the Freedom of Election of Members that ought to serve in the House of Commons, and do declare, that, notwithstanding such Letters, all Persons to whom Elections of Knights and Burgeses do belong, ought to proceed to their Elections with that Freedom, which by the Laws of the Realm, and by Right they ought to do, and do expect that if any such Letters, from any Peers of the Realm, shall hereafter be sent unto them, the Parties receiving the same certify the Contents thereof, and bring the
Letters

Letters themselves to the Speaker of the House of Commons.

Resolved, That it shall be thus read.

That the Knights, Citizens, Burgeses, and Barons of the Cinque Ports, shall send Copies of this Order to the several Counties, Cities, Boroughs, and Cinque Ports respectively.

Lunæ, 17 November, 1645.

Resolved, &c. That this House doth declare and order, that all Elections of any Knight, Citizen, or Burgess to serve in Parliament, be made without Interruption or Molestation, by any Commander, Governor, Officer, or Soldier, that hath not in the Country, City, or Borough respectively Right of electing; and that this Order be sent to *Reading* at the next Election, and it is further ordered that this Order be printed.

Tuesday, 5 September, 1654.

Resolved, That no Petition against an Election of such Members as are already returned for *England* or *Scotland*, shall be received by the Committees of Privileges after three Weeks from this Day.

Lunæ, 1 February, 1657.

Resolved, That in all Cases of double Returns, or more for one and the same Place, none that are so returned, unless they be named in both, or all the Returns, do sit, until the House have first determined touching the said Returns or Elections.

Resolved, That the Committee of Privileges do examine and determine Elections upon double Returns, or more, in the first Place, and report the same to the House with all the Speed that may be.

Mercurii, 26 April, 1660.

Resolved, &c. That all Members upon double Returns do forbear to sit, till the Point of double Returns be determined,

terminated, unless they be returned in several Indentures, and such who are returned in the several Indentures, may sit.

The same 11 May, 1661. 18 March, 1678. The same every Session.

Resolved, &c. That the Committee have Power to examine and consider all Questions, which shall grow and arise this Parliament about Elections and Returns, and other Privileges, and to acquaint the House with their Proceedings from Time to Time; and all the double Returns to be first taken into Consideration, and reported to the House; and they are to meet in the Exchequer-Chamber this Afternoon at two o' Clock, and every *Tuesday, Thursday* and *Saturday* in the Afternoon, with Power to send for Persons, Papers, Writings and Records, and what else may conduce to the Business.

Sabbati, 26 May, 1660.

Ordered, That the Members of this House, who are doubly elected, and neither of their Elections questioned, do make their Elections by *Thursday* next, or in Default thereof the House to elect for them.

Veneris, 20 July, 1660.

This House doth declare it to be a fundamental Order of this House, that the proper Officer, except only in Cases of Impotency or Sickness, ought to amend in the House all Returns of Elections, where, upon an Error committed in the Return, the House shall see Cause to order an Amendment.

Sabbati, 11 May, 1661.

Resolved, That this Committee do meet this Afternoon, at two of the Clock, in the Exchequer-Chamber, and every *Tuesday, Thursday* and *Saturday* at two of the Clock in the Afternoon, in the Place before-mentioned, and do take into Consideration all such Matters as shall or may come in Question touching Returns, Elections and Privileges, and to proceed upon
double

double Returns in the first Place, and to report their Proceedings to the House.

And all Persons that will question double Returns already made, are to do it in fourteen Days next, and so in fourteen Days after any new Return, shall be brought in, and the Committee is to have Power to receive Petitions, and to send for Witnesses, Papers, and Records, for their Information, and to make Report of any Matter which shall concern Breach of Privilege; and all Members that are returned for two or more Places, are to make their Elections by this Day three Weeks, for which Place they will serve, provided there be no Question upon the Return for that Place; and if any thing shall come in Question touching the Return, or Matter of Privilege of any Member of this Committee, such Member is to withdraw from the Committee during the Time the Matter which concerns himself, is in Debate.

This Order revived every Session.

Veneris, 31 May, 1661.

Ordered, That such Persons as have exhibited Petitions to the Committee of Privileges and Elections, without subscribing their Names thereto, have Leave to subscribe their Names to the said Petitions, and that the Committee do accept thereof, tho' the Time limited for exhibiting Petitions be elapsed.

Veneris, 22 November, 1662.

Resolved, That for the future, when any Writ shall be delivered for a new Election of any Member to serve in Parliament, the Party that doth receive the Writ shall deliver, or cause the same to be forthwith sent and delivered to the proper Officer of the Place, for the Election to be made.

Mercurii, 30 April, 1662.

Resolved, That this House doth agree with the said Committee, that Notice of all Elections of Members to serve for Shire-Towns in *Wales*, ought to be given to the Out-Corporations and Boroughs in such Shire.

Luna,

Luna, 30 March, 1668.

Resolved, That this House doth declare, that there is no Fee due for Orders or Writs of Elections, upon the Admission of Members into the House.

Mercurii, 18 January, 1670.

Information being given to the House of an Endeavour to forestall a free Election, by issuing out Papers in the Nature of Warrants, to pre-engage the Country before any Writ issuing, and several of the said Papers being delivered in at the Table, and being upon the Question, ordered to be read, and read accordingly,

Resolved, &c. That the sending of Warrants, or Letters in the Nature of Warrants, or Letters to High Constables, or other Electors, when a Knight of the Shire, or other Member, is to be chosen to serve in Parliament, or threatening the Electors is unparliamentary, and a Violation of the Rights of Electors.

Martis, 13 Aprilis, 1675.

Ordered, That Mr. Speaker do give Order to the Clerk of the Crown, to take care that the Writs for Elections of new Members be delivered to the Sheriff, or proper Officer.

Luna, 2 April, 1677.

Resolved, &c. That if any Person hereafter to be elected into a Place, for to sit and serve in the House of Commons for any County, City, Town, Port, or Borough, after the Test, or the issuing out of the Writ or Writs of Election, upon the calling or summoning of any Parliaments hereafter; or after any such Place becomes vacant hereafter, in the Time of Parliament, shall by himself, or by any other on his Behalf, at his Charge, or at any Person or Persons, having Voice in any such Election, any Meat, Drink, exceeding in the true Value 10*d.* in the whole, in any Place or Places, but in his own Dwelling-house or Habitation, being the usual Place of his Abode for five Months

Months last past, or before such Election be made, or declared, make any other Present, Gift, or Reward, or any Promise, Obligation, or Engagement to do the same, either to any such Person or Persons in particular, or to any such County, City, Town, Port, or Borough in general, or to and for the Use and Benefit of them, or any of them, every such Entertainment, Present, Gift or Promise, Obligation or Engagement, is by this House declared to be Bribery ; and such Entertainment, Present, Gift, Reward, Promise, Obligation or Engagement being duly proved, is, and shall be a sufficient Ground, Cause, and Matter, to make every such Election void, as to the Person so offending, and to render the Person so elected incapable to sit in Parliament by such Election, and hereof the Committee of Elections and Privileges is appointed to take especial Notice and Care, to act and determine Matters coming before them accordingly.

Resolved, &c. That the said Order against excessive drinking at Elections be a further Instruction to the Committee of Elections, and that it be from Time to Time entered amongst the constant and standing Powers and Instructions given by the House of Commons to the said Committee.

Continued a standing Order, 23 May, 1678, and 21 October, 1678.

Mercurii, 19, March 1678.

The House taking Notice of several Complaints in the Petitions this Day read, of diverse Misdemeanors, and undue Practices of Sheriffs, Mayors, Bailiffs, and other Officers, in the Elections and Returns of Members to serve in Parliament,

Ordered, That it be an Instruction to the Committee of Privileges and Elections, that they do examine, and make a special Report of all Miscarriages and undue Practices in Sheriffs, Mayors, Bailiffs, or other Officers, concerned in the returning of Members elected to serve in Parliament, as likewise of all undue Practices,
Letters,

Letters, Promises, Threats, or Oppressions in any Elections.

Lune, 21 October, 1678.

Ordered, That Mr. Speaker be desired to give Notice to the Clerk of the Crown, to take care, that the Writs for the new Elections be delivered to the Hands of the Sheriffs of the respective Counties, and that the House do expect an Account hereof.

Sabbati, 17 May, 1679.

Ordered, That the Chairman of the Committee of Privileges and Elections do make a special Report of the Miscarriages of Sheriffs, and other Officers concerned in the Return of Members to serve in Parliament, as well as in the Elections that have been already examined by the said Committee, as shall hereafter come before them.

Veneris, 22 May 1681, 1 Jac. II.

Ordered, That all Members returned upon double Returns do withdraw, till their Returns be determined.

Ordered, That the House do proceed upon double Returns in the first Place, before any other controverted Elections.

Ordered, That all Members who are returned for two or more Places (except such Members as are beyond Sea) do make their Elections in seven Days next after, for which of the Places they will serve; provided there be no Question upon the Return for such Places.

Revived 22 Nov. 1708, 7 Annæ.

Martis, 2 June, 1685.

Resolved, That no Mayor can duly Return himself a Burgess to serve in Parliament for the same Borough of which he is Mayor at the Time of the Election.

Resolved, That no Mayor, Bailiff, or other Officer, to whom the Precept ought to be directed, is capable of being elected to serve in Parliament for the same Borough

Borough of which he is Mayor, Bailiff, or Officer, at the Time of the Election.

Mercurii, 23 Januarii, 1688.

Resolved, That where any Vacancies have already happened, or shall hereafter happen by Death, or Removal of any Member or double Return, Mr. Speaker, do for the future (upon Motion to this House) by his Letter make Application to his Highness the Prince of Orange; desiring him to issue out his Letter, directed to the respective Coroner, or Coroners, or chief Magistrate, (as formerly) for supplying such Vacancies, by electing other Members therein.

Lune, 28 Januarii, 1688.

Ordered, That the Chairman of the Committee of Elections and Privileges, be empowered to receive Petitions concerning Elections of Members to serve in this present Convention, and that the Petition be numbered, as they come in and heard in Course, as the same shall be brought into the Committee.

Sabbati, 23 Januarii, 1688.

The House being informed, that it was an ancient Order and Custom of the House; that upon new Members coming into the House, they be introduced to the Table between Two Members, and make their Obeisance as they go up, that they may be the better known to the House,

Resolved, That the said Order and Custom be for the future observed.

Sabbati, 12 April, 1690.

Resolved, That after a Return is made into the Crown-Office of Members to serve in Parliament, the same shall not be altered by the Sheriffs, or the Clerk of the Crown, or by any other, but by this House.

Mercurii,

Mercurii, 30 April, 1690.

Resolved, That Quakers having a Freehold, and refusing to take the Oaths, when tendered by the Sheriff, are incapable of giving their Votes for Knights of the Shire, for that Reason.

Sabbati, 12 January, 1693.

Ordered and Declared, That the Hearings upon Petitions concerning the Elections before the Committee of Elections and Privileges be heard in Priority and Course, as they are set down, and appointed to be heard by the said Committee.

Lunæ, 12 February, 1693.

Evidence admitted to unqualify Freeholders, who had sworn themselves such at Cambridge-County Election.

Veneris, 7 December, 1694.

A Complaint being made to the House, that the Writ for electing of a Knight to serve in this present Parliament for the County of Cardigan, was not delivered to the Sheriffs,

Resolved, That all Writs for the electing of Members to serve in Parliament, be immediately sent to the proper Officer for Execution thereof, with all convenient Speed.

Sabbati, 7 December, 1695.

Declared, That in case of double Returns, any Party so returned may (within fourteen Days after the Matter touching the Return be determined) Petition as to the Merits of Election.

Jovis, 16 January, 1695.

Resolved, That the House doth agree with the Committee in the said Resolution, that Evidence ought not to be admitted to disqualify an Elector as no Freeholder,

holder, who at the Election swore himself to be a Freeholder.

Surry and Hartford Elections.

Luna, 25 November, 1695.

Ordered, That it be an Instruction to the said Committee, that they do admit but two Council of a Side, to be heard in any Cause before them.

Revived 12 October, 1696. 12 December, 1698. and 16 November, 1699.

Afterwards added, (upon the Matter of controverted Elections) *22 November, 1708.*

Jovis, 22 December, 1698.

Resolved, Nemine Contradicente, That no Alien (not being a Denizen or naturalized) hath any Right to vote in Elections of Members to serve in Parliament.

Martis, 24 January, 1698.

Ordered, That the Committee of Privileges and Elections be impowered from Time to Time to alter (in course) the Days of hearing the said Causes, as they shall happen to be postponed.

Jovis, 21 December, 1699.

Resolved, That it is the Opinion of this Committee, that if any Person having a Right to vote for two Members to serve in Parliament, shall give a single Vote, such Person hath no Right to come afterwards, and give his second Vote during the said Election.

Jovis, 14 December, 1699.

Resolved, Nemine Contradicente, That no Peer of this Kingdom hath any Right to give his Vote in the Election of any Member to serve in Parliament.

Revived 9 November, 1703. 22 November, 1708. and every Session since.

Jovis, 13 February, 1700. 12 Gul. III.

Resolved, Nemine Contradicente, That where the House shall judge any Petition touching the Elections to be frivolous and vexatious, the House will order Satisfaction to be made to the Person petitioned against.

Resolved, Nemine Contradicente, That in case it shall appear any Person hath procured himself to be elected or returned as a Member of this House, or endeavoured so to be by Bribery, or any other corrupt Practices, this House will proceed with the utmost Severity against such Person.

Revived every Session since.

Sabbati, 15 February, 1700. 3 Gul. III.

Resolved, Nemine Contradicente, That for any Peer of this Kingdom, or any Lord Lieutenant of any County to concern themselves in the Election of Members to serve for the Commons in Parliament, is a high Infringement of the Liberties and Privileges of the Commons of *England*.

Afterwards of Great Britain, 22 November, 1708.

Veneris, 21 February, 1700.

Resolved, That if it shall appear that any Person hath tampered with any Witness, in respect of their Evidence to be given to this House, or any Committee thereof, or directly or indirectly endeavoured to deter or hinder any Person from appearing, or giving Evidence, the same is declared to be a high Crime and Misdemeanor, and this House will proceed with the utmost Severity against such Offenders.

Resolved, That if it shall appear that any Person hath given false Evidence in any Cause before this House, or any Committee thereof, this House will proceed with the utmost Severity against such Offenders.

These Orders revived every Session.

Mercurii,

Mercurii, 26 January, 1703.

Mr. *Freeman* (according to Order) reported from the Committee of the whole House, to whom it was referred, to consider of the Report of the Journals of the House of Lords, touching the Case of *Ashby* and *White*; and the Case of *Bernardiston* and *Soame*, the Resolutions which they had directed him to report to the House, which he read in his Place, and afterwards delivered in at the Clerk's Table, where the same were read, and are as follow, (*viz.*)

First, Resolved, That it is the Opinion of this Committee, that according to the known Laws and Usage of Parliament, it is the sole Right of the Commons of *England* in Parliament assembled, (except in Cases otherwise provided for by Act of Parliament) to examine all Matters relating to the Rights of Elections of their own Members.

Secondly, Resolved, That it is the Opinion of this Committee, that according to the known Laws and Usage of Parliament, neither the Qualification of any Elector, or the Right of any Person elected, is cognizable or determinable elsewhere than before the House of Commons of *England* in Parliament assembled, except in such Cases as are especially provided for by Act of Parliament.

Thirdly, Resolved, That it is the Opinion of this Committee, that the examining and determining the Qualification or Right of any Elector, or any Person elected to serve in Parliament in any Court of Law, or elsewhere, than before the Commons of *England* in Parliament assembled, (except in such Cases as are especially provided for by Act of Parliament) will expose all Mayors, Bailiffs, and other Officers, who are obliged to take the Poll, and make a Return thereupon, to Multiplicity of Actions, Vexations, Suits, and insupportable Expences, as will subject them to different and independent Jurisdictions, and inconsistent Determinations in the same Case without Relief.

Fourthly, Resolved, That it is the Opinion of this Committee, that *Matthew Abby* having, in Contempt of the Jurisdiction of this House, commenced and prosecuted an Action at Common Law against *William White* and others, the Constables of *Aylesbury*, for not receiving his Vote at an Election of Burgesses to serve in Parliament for the said Borough of *Aylesbury*, is guilty of a Breach of the Privilege of this House.

Fifthly, Resolved, That it is the Opinion of this Committee, that whosoever shall presume to commence or prosecute any Action, Indictment, or Information, which shall bring the Right of the Electors, or Persons elected to serve in Parliament, to the Determination of any other Jurisdiction than that of the House of Commons, (except in Cases especially provided for by Act of Parliament) such Person or Persons, and all Attorneys, Solicitors, Counsellors, and Serjeants at Law, soliciting, prosecuting, or pleading in any such Case, are guilty of a high Breach of the Privilege of this House.

The said Resolutions being severally read a second time, were, upon the Question severally put thereupon, agreed unto by the House.

Ordered, That the said Resolutions be fixed upon *Westminster-Hall Gate*, signed by the Clerk.

Mercurii, 18 February, 1707.

Resolved, First, That all Matters that shall come in Question touching Returns or Elections, shall be heard at the Bar of the House.

Revived 22 November, 1708.

Resolved, Secondly, That all Questions at the Trial of Elections, if any Member insist upon it, be determined by Ballot.

Vacated 22 November, 1708.

Resolved. Thirdly, That all Petitions upon every new Parliament relating to Elections and Returns be delivered to the Clerk of the House, and be by him laid upon the Table before the Speaker be chosen.

Revived 22 November, 1708.

Ordered,

Ordered, That the said Resolutions be standing Orders of the House.

Mr. Speaker to send the said Resolutions to the Sheriffs of the several Counties of *Great Britain*, to be by them communicated to the chief Officers of the several Cities, Corporations and Boroughs sending Members to Parliament in their respective County.

Sabbati, 27 November, 1708. 7 *Annæ*.

Ordered, That all Persons that will question any Election to be made upon new Writs do present their Petitions within fourteen Days after the Return shall be delivered to the Clerk of the Crown.

Ordered, That the Council retained to be heard at the Bar in Causes upon controverted Elections, be called in at Eleven o'Clock those Mornings that are appointed for such Hearings.

Mercurii, 9 March, 1708.

Ordered, That such Persons as shall think fit to renew their Petitions, complaining of undue Elections of Members to serve in this present Parliament, do present the same to the House the next Session of Parliament, according to antient Custom.

Mercurii, 16 November, 1709.

Ordered, That it be an Instruction to the Committee, that they do examine whether the Petition to them referred be the same, and signed by the same Parties, as those presented the last Session of Parliament.

Jovis, 19 January, 1709.

The Committee of Elections having proceeded on that for *Roxborough*, and not being able to go through the same, and the House having ordered that for *Ross* to be heard To-morrow, desires the Direction of the House how the Committee should proceed.

Ordered, That the Committee do proceed in, and go thro' the Cause touching the Election for the Shire of *Roxborough* before they enter upon any Cause.

Martis, 10 January, 1710. 9 *Annae*.

Resolved, That the Petitioner be admitted to give parole Evidence of the Mortgage of a Mortgagee in Possession of Lands, for which the Mortgagee voted against the Petitioner, without producing the Mortgage Deed.

Resolved, That the Decree of a Baron Court be admitted to be read as Evidence, to prove the sitting Member's Possession of those Lands for which he voted at the Election for the Shire of *Kinross*, tho' it was not produced, when the Objection was made to his Possession.

Martis, 9 Martii, 1713.

Mr. *Freeman* (according to Order) reported from the Committee, who were to consider of the Act of the ninth Year of her Majesty's Reign, intituled, *An Act for securing the Freedom of Parliament by the further qualifying the Members to sit in the House of Commons*, the Resolution they had directed him to report to the House, which he read in his Place, and afterwards deliver'd in at the Clerk's Table, where they were read, and are as follows, (*viz.*)

Resolved, First, That it is the Opinion of this Committee, that notwithstanding the Oath taken by any Candidate at, or after any Election, his Qualification may be afterwards examined into.

Resolved, Secondly, That it is the Opinion of this Committee, that the Person whose Qualification is expressly objected to in any Petition relating to his Election, shall, within fifteen Days after the Petition is read, give to the Clerk of the House of Commons a Paper signed by himself, containing a Rental, or Particular of the Lands, Tenements, or Hereditaments, whereby he makes out his Qualification, of which any Person concerned may have a Copy.

Resolved,

Resolved, Thirdly, That it is the Opinion of this Committee, that if a sitting Member shall think fit to question the Qualification of a Petitioner, he shall, within fifteen Days after the Petition is read, leave Notice thereof in Writing with the Clerk of the House of Commons; and the Petitioner shall in such Case, within fifteen Days after such Notice, leave with the said Clerk of the House the like Account in Writing of his Qualification, as is required from a sitting Member.

The said Resolutions being severally read a second Time, were, upon the Questions severally put thereupon, agreed unto by the House.

The same agreed to 23 *March*, 1714. Made standing Orders 21 *February*, 1716. 21 *November*, 1717.

Luna, 18 *Martii*, 1727.

Resolved, That in all Cases on double Returns, where the same shall be controverted, either at the Bar of the House, or in Committees of Privileges and Elections, the Council for such Person, who shall be first named in such double Return, or whose double Return shall be immediately annexed to the Writ or Precept, shall proceed in the first Place.

Ordered and Declared, That the said Order be a standing Order of the House.

Veneris, 11 *Maii*, 1733.

Resolved, That the Right of Election of a Preses and Clerk is in such Persons as stand upon the Roll last made up by the Freeholders at the *Michaelmas* Head Court, or at the last Election of a Member to serve in Parliament.

Jovis, 6 *February*, 1734.

Resolved, That on the Petition of any Elector or Electors for any County, City, or Place, sending Members to Parliament, complaining of an undue Election and Return, and alledging that some other Person was duly elected, and ought to have been re-

turned, the sitting Member so complained of may demand and examine into the Qualification of such Person so alledged to be duly elected, in the same Manner as if such Person had himself petitioned.

Ordered, That the said Resolution be declared to be a standing Order of the House.

Veneris, 16 January, 1735.

Ordered, That the Council at the Bar of this House, or before the Committee of Privileges and Elections, be restrained from offering Evidence touching the Legality of Votes for Members to serve in Parliament for any County, Shire, City, Borough, Cinque Port or Place, contrary to the last Determination of the House of Commons, which Determination, by an Act passed in the second Year of his present Majesty's Reign, intituled, *An Act for the more effectual preventing Bribery and Corruption in the Election of Members to serve in Parliament*, is made final to all Intents and Purposes whatsoever, any Usage to the contrary notwithstanding.

Ordered, That the said Order be a standing Order of the House.

Resolved, That in all Cases of controverted Elections for Counties in *England* and *Wales*, to be heard at the Bar of this House, or before the Committee of Privileges and Elections, the Petitioners do by themselves, or by their Agents, within a convenient Time to be appointed, either by the House, or the Committee of Privileges and Elections, as the Matter to be heard shall be before the House, or the said Committee, deliver to the sitting Members, or their Agents, Lists of the Persons intended by the Petitioner to be objected to, who voted for the sitting Members, giving in the said Lists the several Heads of Objections, and distinguishing the same against the Names of the Voters excepted to; and that the sitting Members do by themselves, or by their Agents, within the same time, deliver the like Lists, on their Part, to the Petitioner's Agents.

Jouis,

Jovis, 26 February, 1735.

Resolved, That the Council for the Petitioners be admitted to give parole Evidence, as to Persons being no Freeholders at the Time of the Election, who swore themselves then to be Freeholders.

Martis, 2 Martii, 1735.

Resolved, That the Council for the Petitioners be admitted to give Evidence to what a Voter confessed of his having no Freehold, who at the Time of the Election swore he had.

Martis, 22 December, 1741.

Resolved, That it appears to this House, that a Body of armed Soldiers, headed by Officers, did, on *Friday* the eighth Day of *May* last, come in a military manner, and take Possession of the Church-yard of *St. Paul's, Covent-garden*, near the Place where the Poll (for the Election of Citizens to serve in this present Parliament for the City of *Westminster*) was taken, before the said Election was ended.

Resolved, That the Presence of a regular Body of armed Soldiers, at an Election of Members to serve in Parliament, is an high Infringement of the Liberties of the Subject, and manifest Violation of the Freedom of Elections, and an open Defiance of the Laws and Constitution of this Kingdom.

ORDERS for balloting in controverted Elections.

Sabbati, 21 February, 1707.

MR. *Benson* reported from the Committee, appointed to consider of proper Methods for the more speedy and easy trying and determining of controverted Elections, and to whom it was referred, to consider

consider of a proper Method for ballotting, &c. several Resolutions, (*viz.*)

Resolved, That it is the Opinion of this Committee, that a Ballotting Box and Balls be prepared.

Resolved, That it is the Opinion of this Committee, that two Clerks attend the ballotting, one to deliver the Balls to the Member, and the other to carry the Box.

Resolved, That it is the Opinion of this Committee, that such Member prepare his Hand bare and open, to receive the Ball; and that he hold it up between his Fingers, before he puts his Hand into the Box; and that the Box be immediately brought to the Table, and the Votes counted there by the Clerk, in the Presence of the said Members.

Resolved, That it is the Opinion of this Committee, that all Members sit in their Places, till the Votes are given, and the Affirmative, or Negative, declared by the Speaker.

The said Resolutions being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House.

Ordered, That the said Resolutions be standing Orders of the House.

Vacated, per Order, 22 November, 1708.

ORDERS touching Bills in general.

18 April, 1604. 1 Jac.

SUCH Bills as came down from the Lords, and passed this House, when they are sent up again, are to be presented first, before any other Bills, which had their first Beginning and Passage in this House; next the publick Case, the private Bills of this House.

27 April, 1604. 1 Jac.

Agreed for a Rule, if any Doubt arise upon any Bill, the Speaker is to explain, but not to sway the House with any Argument or Dispute.

The Petition touching the Abuses of Purveyors, brought in by Mr. Hare, from the Committee in Parliament, which was against Orders, and thereupon a Rule conceived.

That no Petition, Bill, or other Thing, to be treated in Parliament, ought to be privately delivered into the House ready engrossed, but in Paper; and this Petition delivered in by Mr. Hare, shall be no Precedent for the Time to come.

19 May, 1604. 1 Jac.

Rule agreed, no double Questions upon the passing of a Bill, tho' sometimes upon the committing it is double, if the Voice or Question be not clear.

23 May, 1604. 1 Jac.

Resolved and Ordered, That for this Time all Questions should cease touching those Matters, with this Caution and Care, proceeding from a tender Regard of the Privilege of this House, that it should be presently registred as the Judgment of the House, that no Speaker from henceforth should deliver a Bill, whereof the House standeth possessed, to any whomsoever, without the Allowance and Leave, as aforesaid; but that he had, or might either shew it, or deliver a Copy of it, as seemed meet unto him.

An Order moved and agreed, that no Bill, whereof the House is clearly possessed, be delivered to any before the House has Notice, and give Leave.

Admitted, that a Copy may be delivered, or it may be shewed to his Majesty.

The Speaker reading the Title in his Chair a Possession.

Lane,

Lune, 4 June, 1604.

Agreed for Rule, if two stand up to speak to a Bill, he against the Bill (being known by Demand, or otherwise) to be first heard.

24 June, 1604. 1 Jac.

Rule agreed, That if a Bill be continued in Speech from Day to Day, one Man may not speak twice to the Matter of the same Bill.

25 June, 1604.

Upon Motion, such as fate against the Bill went forth of the House, and brought in the Bill in their Hands, whhich is according to ancient Order, and was now moved, and done once in a Parliament for preserving Memory of the Order, and so expressed by the Mover.

13 February, 1606.

The Remembrances formerly set down and read, being privately delivered to the Clerk by Sir *Henry Montague*, the Day of the late Adjournment, were required by the House to be delivered openly.

21 February, 1606.

Upon this Report it was much disputed in the House, whether it were fit to handle the Point of Conveniency, before the Point of Law in the Case of Naturalization in general were determined, and the Opinion was not to be fit.

It was delivered for a Rule, that no Judgment, but upon a Bill; Opinion without a Bill.

Martis, 3 March, 1606.

Ordered upon Mr. Speaker's Motion, That when they proceed to the Amendment of any Bill committed unto them, they should also amend the Brief annexed, and make it agree with the Bill.

5 May,

5 May, 1607.

The Council in the Bill touching the *Marshallsea* Court were read for hearing, and it was questioned, (as now the State of the Bill was) whether the Council *pro* or *contra* should begin first; after some Dispute,

Affirm'd by Mr. Speaker, that upon the Report against the Bill, the Council *pro* ought to be first heard;

Yet upon the Question, and some Circumstances opened.

Resolved, It should be now received as *res integra*, and the Council against the Bill (according to the known Rule) be first heard.

11 April, 1611. 12 Jac.

Sir Edwin Sandys moveth, that no Bill may be read the second Time, until half an Hour past eight, and the third Time be past nine o' Clock, and ordered accordingly.

7 February, 1620. 18 Jac.

No Bills to be put to pass till past nine of the Clock, and Notice to be given a Day before, that Bills shall be passed the next Day, and both ordered.

12 March, 1620.

Resolved, That Bill, and other publick Bills, may be secondly read by half an Hour after eight o' Clock.

15 March, 1620.

Ordered, That upon the committing of every Bill of Grace, the Clerk shall deliver to the Committee the Note of all his Books concerning that Business, and the old Draught of it, which was last Meeting in Parliament, if it be to be had.

26 May, 1621. *Mis Jac.*

A Proviso in Paper, admitted for a Rule, that not being in Parchment, it might not be put to the Question.

28 May, 1621.

An essential Order, that the Amendments be twice read.

30 May, 1621.

An essential Order, a Proviso from the Lords to be read thrice, tho' the Bill come from the lower House, and by Vote of the House to pass as a Law.

29 November, 1621.

Resolved, That when any Bill committed on shall be named to take the Bill.

26 March, 1626. 1 Car.

Mr. Haynes tendereth a Proviso, engrossed in Parliament, for the City of *Exon*.

Mr. Banks having, upon the second Reading of this Proviso, spoken to it; and the Proviso being thirdly read, he offered to stand up again and speak, and was by divers interrupted, because he had spoke before; but,

Resolved by the House, That upon a new Reading he may speak again.

20 January, 1627. 4 Car.

Ordered, That upon the committing every publick Bill, one of the Committee be specially named by the House to take care of the Bill.

Sabbati, 5 December, 1640.

Ordered, No Bills to have their second Reading, but between nine and twelve o' Clock.

Sabbati,

Sabbati, 16 July, 1642.

A Bill brought from the Lords, delivered by the Messengers without reading the Title, which ought to have been done, at which the House took Offence; but, in Regard of the great Business, the House took no more Notice of it at this House.

Sabbati, 11 May 1644.

Resolved, That it is an unparliamentary way to send down Reasons in another Paper, to any Bill or Ordinance, at the first beginning of sending down any Bill or Ordinance.

Sabbati, 24 August 1644.

Ordered, That whatsoever Ordinance shall be committed by this House, shall, after the Return from the Commitment be read the third Time before it pass from thence to be sent to the Lords.

Sabbati, 2 May 1651.

Resolved, Upon the Question,
And, The Parliament doth declare, that it the Order of this House, that no Act ought to be presented to this House without a Brief thereof, to be given to the Speaker; and that Mr. Speaker ought not to open any Bill, nor command the same to be read, unless a Brief thereof be first delivered unto him; and that the said Order be from henceforth duly observed accordingly.

Veneris, 3 Aprilis, 1663.

Ordered, That the Reporter who does report the Amendments to any Bill, do, after the same are agreed by the House, see that the same be duly entered in the Bill, that the Bill may be rightly engrossed.

Sabbati, 26 Octob. 1667.

Ordered, That no engrossed Bill be brought in to be read, till the same be examined by the Chairman of the
the

the Committee, to which it was referred, and the Clerk of the House.

Sabbati, 5 Martii 1669.

Ordered, That all Bills shall receive Dispatch in Priority, and Order of Time, as they were brought in, and have been depending.

ORDERS touching, bringing in, and passing
Bills of Aid and Supply.

Lunæ, 12 July, 1641.

MR. Maxwell came down and acquainted this House, that the Lords did desire them to come up to the passing of the Bill of Tonnage and Poundage, by Commission.

Message to the Lords by Sir *Henry Vane*.

To acquaint the Lords, that this House being informed by the Black-Rod, that their Lordships desired this House to come to the passing of the Bills of Tonnage and Poundage; that in regard it is a free Gift of the Commons of *England*, and the Speaker of the House of Commons ought to present the same, and that their Lordships would be pleased to send the Bill to this House.

Sir *Henry Vane's* Answer of the Message to the Lords.

That their Lordships had taken it into Consideration, and will send Answer by Messengers of their own.

Note, There is no Entry of any Answer sent, nor Return of the Bill, but

Lunæ, 16 August, 1641.

A Message from the Lords, by Sir *Robert Rich* and Mr. *Page*.

The

The Lords sent them to give Notice, that now the Commission is come for giving the King's Royal Assent, to the Bill of Tonnage and Poundage; when this House shall be ready to bring it up.

Answer returned by the same Messengers, That this House has taken into Consideration their Lordship's Message, and return this Answer; that they shall be ready to bring up that Bill, when their Lordships shall please to send them Word, that they desire they would bring it up.

The Gentleman-Usher of the Lords House, came and acquainted the House; that the Lords are ready to give his Majesty's Royal Assent by Commission, to the Bill of Tonnage and Poundage, and desire that the Speaker, and this House would bring up the said Bill.

Mercurii, 26 Januarii, 1641.

It was declared and acknowledged to be against the fundamental Orders of the House, for any Member of the House, without special Order of the House, to bring in a Bill of Subsidy.

Sabbati, 26 March, 1642.

The Bill of Subsidy, being to be passed by Commission;

Resolved, Upon the Question;

That the House being desired by the Lords to be present at the the passing of the Bill of 40000*l.* by Commission, That Mr. Speaker should go up, and if the Bill be delivered to Mr. Speaker, before the Commission be read, that then he shall have leave to present it to be passed; but if the Lords shall not deliver the Bill to Mr. Speaker's Hands accordingly, that then he shall immediately return.

Jovis, 2 Nov. 1643.

Ordered, That no Ordinance shall be brought in but with a Brief unto it; and that the Party that brings in an Ordinance, shall bring in the Brief, and Mr. Speaker

open the Ordinance; and that no Member shall bring in any Ordinance to charge the Subject, or raise any Money upon the Country, without an Order precedent in the House to direct the said Charge; and that Mr. Speaker do not permit any Ordinance to be read without such Brief, nor after twelve o' Clock, unless it shall be otherwise directed by the House.

Lunæ, 10 Nov. 1645.

Ordered, That no Ordinance be brought in to charge the Subject, or to give any Thing from the Commonwealth, without special Order of the House first directing the same.

Jovis, 25 Maii, 1648.

Resolved, That no Motion be made for raising of new Forces or Monies for the same, but between the Hours of ten and twelve o' Clock.

Martis, 18 Februarii, 1667.

Resolved, That if any Motion be made in the House for any Public Aid or Charge upon the People, the Consideration and Debate thereof, ought not presently to be entered upon, but adjourned till such farther Day as the House shall think fit to appoint; and then it ought to be referred to the Committee of the whole House, and their Opinions to be reported thereupon, before any Resolution or Vote of the House do pass therein.

Jovis, 3 April, 1671.

The House then proceeded to the Reading the Amendments and Clauses sent from the Lords, to the Bill for an Imposition on Foreign Commodities, which were once read; and the first Amendment sent from the Lords, being for changing the Proportion of the Impositions on White Sugars, from 1 *d.* per lb. to an half-penny half-farthing, was read a second Time and debated.

Resolved,

Resolved, Nemine Contradicente,

That in all Aids given to the King by the Commons, the Rate or Tax ought not to be altered by the Lords.

Mercurii, 3 Nov. 1673.

A Debate arising in the House, touching the ancient Order and Course of the House, in the Method of raising Supplies, and concerning the Precedency of the lesser Sum.

The House upon the Question, did resolve and declare it an ancient Order of the House, that when there comes a Question between the greater and lesser Sum, or the longer or shorter Time, the least Sum and the longest Time, ought first to be put to the Question.

Mercurii, 3 July, 1678.

Mr. Solicitor-General reports from the Committee, to whom it was (amongst other Things) referred to prepare and draw up a State of the Rights of the Commons in granting of Money, a Vote agreed by the Committee, which he read in his Place, and afterwards delivered the same in at the Clerk's Table, where the same was read, and upon the Question agreed, and is as follows.

Resolved, That all Aids and Supplies granted to his Majesty in Parliament, are the sole Gift of the Commons; and all Bills for granting such, if any such Aids and Supplies ought to begin with the Commons, and it is the undoubted and sole Right of the Commons, to direct, limit, and appoint in all such Bills, the Ends, Purposes, Considerations, Conditions, Limitations, and Qualifications of such Grants, which ought not to be changed or altered, by the House of Lords.

Sabbati, 17 Februarii, 1693.

Resolved, That no Member of the House of Commons shall be concerned directly, or indirectly, in the farming,

farming, collecting, or managing of the Duties to be collected by this Bill, or any other Aid to be granted to their Majesty's, other than the present Commissioners of the Treasury, and the Officers and Commissioners for managing the Customs and Excise.

Mercurii, 11 December, 1706. 5 Annæ.

Resolved, That this House will receive no Petitions for any Sum of Money, relating to Public Service, but what is recommended from the Crown.

Declared a Standing Order 11 June, 1713.

Sabbati, 29 March, 1707.

Resolved, That this House will not proceed upon any Petition, Motion or Bill, for granting any Money, or relating to, or compounding any Sum of Money owing to the Crown, but in a Committee of the whole House; and that the same be declared a Standing Order of the House.

Revived 14 April 1707.—7 Feb. 1708, and 29 November 1710.

Martis, 24 February, 1707.

Resolved, That no Public Money be granted by Debentures or otherwise, but by a Committee of Supply.

Resolved, That no Disposition of the Public Money be made, or Private Bill relating to the same read, but on a Day to be appointed for that Purpose.

Jovis, 23 April, 1713. 13 Annæ.

Resolved, That this House will not receive any Petition for compounding any Sum of Money owing to the Crown, upon any Branch of the Revenue, without a Certificate from the proper Officer, or Officers annexed to the said Petition, stating the Debt, what Prosecutions have been made for the Recovery of such Debt, and setting forth how much the Petitioner and his Sureties are able to satisfy thereof.

Made a Standing Order, 25 Mar. 1715.

Mer-

Mercurii, 13 March, 1716.

Resolved, That no Bill be ordered to be brought in on any Petition for repairing, or amending any Highway, or for making or cleansing any Port or Harbour, or for making any Rivers Navigable, or for any other Work proposed to be carried on by Tolls, or Duties to be levied on the Subject in particular Places, till such Petition has been referred to a Committee, and they have examined the Matter thereof, and reported the same to the House.

Lunæ, 7 Martii, 1725.

Resolved, That this House will receive no more Petitions for enabling his Majesty to sell the Reversion of Crown Lands.

ORDERS touching bringing in, and passing
Public Bills, viz. Poor, Trade, Highways,
Ports and Harbours,

Lunæ, 26 Julii, 1641.

Ordered,

THAT no Public Bill shall pass, but between Nine and Twelve o'Clock, and that if any Man shall move the Members of the House contrary to that, he shall incur the Censure of the House.

Jovis, 7 March, 1699.

Ordered and Declared, That all Bills relating to the Poor, be deemed and taken to be Public Bills, and pass without Fees for the same.

The same 25 February, 1700.

Martis, 9 Nov. 1703.

Resolved, That no Bill relating to Trade, or the Alteration of Law concerning Trade, be brought into

the House, until the Proposition shall have been first examined and debated in the Grand Committee for Trade, and agreed unto by the House.

Mercurii, 13 March, 1716.

Resolved, That no Bill be Ordered to be brought in on any Petition, for repairing and amending any Highway, or for making, or cleansing any Port, or Harbour, or for making any River Navigable, or for any other Work proposed to be carried on by Tolls or Duties, to be levied on the Subjection in particular Places till such Petition has been reported, referred to a Committee, and they have examined the Matter thereof, and reported the same to the House.

Veneris, 28 February, 1734.

Ordered, Nemine Contradicente, That the said Resolution be a Standing Order of the House.

ORDERS touching bringing in, and passing private Bills.

Veneris, 13 December, 1644.

Ordered,

THAT no private Ordinance do pass this House, or be transitted to the Lords, until the Parties that are concerned therein do first pay such Fees for the same unto Mr. Speaker, the Clerk, Serjeant, and others belonging to the said House, as hath usually been paid upon the passing of private Bills; and all Members, that from any Committee, or otherwise, do present any Ordinance, wherein the Advantage or Benefit of any private Person is concerned, are desired to take Notice of this Order; and to acquaint the Persons that are, or shall be concerned herewith; and to appoint them first to pay such ancient and accustomed Fees,

Fees, as aforefaid, to Mr. Speaker, the Clerk, and other the Officers of the faid House.

Veneris, 7 December, 1660.

Resolved, That private Bills and Business be proceeded in daily, till nine o' Clock, in such Order as the House shall think fit; and that the Debate of such of them, as shall not be dispatched at the Hour of nine, shall be adjourned till the next Day.

Martis, 26 Martii, 1678.

Ordered, That in all private Bills, for the future, a Clause be inserted, that the Trustees therein named shall be obliged to see the Trusts in the said Bill performed, or be liable to the same out of their own Estates.

Martis, 26 Maii, 1685.

Ordered, That for the future no private Bill be brought into this House, but upon a Petition first presented, truly stating the Case, at the Peril of the Parties preferring the same; and that such Petitions shall be signed by the Parties, who are Sureties for such Bill.

Made a standing Order, 24 November, 1699.

Jovis, 14 November, 1689.

A Debate arising touching the Manner how Petitions ought to be signed.

Resolved, That all Petitions presented to the House ought to be signed by the Petitioners, with their own Hands,, by their Names or Marks.

Martis, 6 Maii, 1690.

Ordered, That no engrossed Bill be brought to the Table to be read the third Time, but by the Chairman of the Committee to whom that Bill was committed, after he hath examined the same.

Martis, 13 May, 1690.

Ordered, That when any Bill shall be brought into this House for confirming Letters Patents, there be a true Copy of such Letters Patents annexed to the Bill, and that this be declared a standing Order of this House for the future.

Martis, 24 November, 1691.

Ordered, That no private Bill be proceeded upon after ten o' Clock.

Revived 4 February, 1692.—Enlarged until eleven o' Clock, 16 February, 1692.—24 November, 1699.

Sabbati, 10 December, 1692.

Ordered, That every Member presenting any Bill or Petition to this House, do go from his Place down to the Bar of the House, and bring the same up from thence to the Table.

Martis, 21 January, 1695.

Ordered, That every private Bill have a Day appointed for reading thereof, before the same be read.

Sabbati, 15 January, 1697.

Ordered, That upon the first Reading of every private Bill, a Time be appointed for a second Reading.

Mercurii, 6 April, 1698.

Ordered, That no private Bill be read the third Time before eleven o' Clock.

Veneris, 31 Martii, 1698.

Ordered, That the Chairman of the Committee, upon the Report of every private Bill, do acquaint the House, that the Allegations of the Bill have been examined; and that the Parties concerned have given their Consents, to the Satisfaction of the Committee, and that the same be a standing Order of the House.

Revived

Revived 15 *February*, 1700—18 *January*, 1708.

Ordered, That there be three Days between the several Readings of all private Bills.

Made a standing Order, *February* 15, 1700—18 *January*, 1708.

Ordered, That the Chairman of the Committee, for any private Bill, do not sit thereupon, without a Week's Notice thereof set up in the Lobby.

Declared a standing Order, 15 *February*, 1700—18 *January*, 1708.

Martis, 15 *January*, 1705.

Ordered, That all Persons concerned in Interest in private Bills, in case they are able, do personally attend the Committee to give their Consents; and if they are not able personally to attend, that they give Certificates of their Consents, to be proved by one or more Witnesses before the Committee.

Lunæ, 12 *November*, 1705.

Ordered, That all private Bills brought into this House be printed, and that they be printed after they are presented to the House, and before the first Reading.

Revived 12 *December*, 1706—20 *December*, 1708—30 *November*, 1709.

Made a standing Order 5 *March*, 1722.

Veneris, 6 *February*, 1707.

Resolved, That all Persons intending to apply themselves to the Parliament of *Great Britain*, for obtaining private Bills relating to Estates in *Ireland*, do from henceforth give publick Notice of their said Intention, by affixing printed Papers, setting forth their Pretensions in each of the four Courts of Justice in *Dublin*, during the whole Term, which shall precede the Session of Parliament, as also in the chief Town, wherein the Assizes are usually kept in each County, where the Lands shall happen to lie, for one Month at least before the Bill be brought in.

Resolved,

Resolved, That there be thirty Days at least between the first and second Reading of every such private Bill.

Resolved, That the said Orders be declared to be standing Orders of the House.

Martis, 5 Martii, 1722.

Ordered, That no private Bill be read before printed Copies thereof be delivered to the Members of the House.

Ordered, That the said Order be a standing Order of the House.

ORDERS relating to Committees.

Jovis, 12 April, 1604. 1 Jac.

UPON Motion made touching the slow Proceedings and Dispatch of such Bills and Business, as were depending in the House, which grew, as was said, by the Non-attendance of sufficient Numbers at Committees.

It was ordered, that eight of any Committee that do assemble, might proceed to a Resolution in any Business in the House.

24 May, 1604.

It being proposed to the House, whether any of the Commissioners, in the Matter of the Treaty concerning the Weal of both Kingdoms, subscribing the Writings or Instruments in the Act mentioned, may, without Imputation or Prejudice, in Credit or Conscience, have the Liberty and Freedom of Voice in Parliament, notwithstanding the said Subscription.

The House thereupon resolved, that no Man is, or ought to be concluded in his Opinion, by any such Subscription, but as in case of other Committees, (hath and may have his Liberty in the House to assent or dissent)

dissent) as he shall see just Cause the next Session of Parliament.

11 February, 1606.

Ordered, That the Adjournment of any Committee amongst themselves should be published the next Day in the House.

7 March, 1606.

Mr. Hedley, being assigned with the rest for the Point of Assurance excuseth himself, in that he was directly against the Matter itself in Opinion whereupon.

Concerned for a Rule, that no Man was to be employed that had declared himself against it.

18 April, 1614.

Moved, the Clerk may set upon the House Door that Morning the Orders for Committees to sit that Day, and ordered.

19 April, 1621. 19 Jac.

Ordered, That no Petition to be received, but openly at the Committee, and to be openly read at the Committee, before the Party go that preferreth it, and the Party's Name that preferreth it.

The appointing of the Chair at the Committee referred to the Direction of the Committee.

Veneris, 11 Maii, 1621.

Resolved by the House, That when limited, all that will come shall have Voice, that they, in that Case, if they come, are Committees, as well as those nominated.

2 May, 1624. 22 Jac.

No Committee shall sit after eight o' Clock sitting the House, without special Order.

25

25 Aprilis, 1627. 4 Car.

Resolved upon the Question, That upon the Meetings of any Committees, those that are Committees shall have Place given them, that they may the better discharge the Service committed to their Trust.

30 January, 1627. 4 Car.

Ordered upon the Question, That no Man go out of the House, during the sitting of the grand Committee, without Licence of the Committee, upon Pain of Censure of the House.

The same Order 19 and 20 February, 1627.

Luna, 9 November, 1640.

Moved, That every Man that names any Man for a Committee shall stand up, and being uncovered name the Party.

Martis, 10 November, 1640.

It was declared, that at the naming of a Committee, if any Man rise up to speak, the Clerk ought not to write.

Mercurii, 21 April, 1641.

Ordered, That the Doors shall be locked at the Committee, and the Keys brought up, and that no Man shall go out without Leave of the Committee.

Luna, 28 Junii, 1641.

Post Meridiem, Declared, that so soon as the House sits, and the Serjeant comes to any Committee then sitting, to signify unto them that the House is sitting, that the Chairman shall immediately come away.

Mercurii, 28 July, 1641.

Post Meridiem, The Petition of *Theophilus Man* read, touching the Resolution, where Mr. King hath the Chair, and signed by him; whereby Mr. Man is
voted

voted not to take any Fees, by Virtue of his Office as Searcher, till further Order.

Declared by the House, that no Committee ought by Vote to determine the Right and Property of the Subject, without first acquainting the House therewith.

Veneris, 6 August, 1641.

Post Meridiem, Resolved upon the Question, That no Vote past at a Committee of this House, and not reported nor confirmed by the House, shall be any Rule or Direction in any Court of Justice in Westminster-Hall, to ground any Proceedings upon.

Mercurii, 17 Octobris, 1641.

Ordered, That no Committee whatsoever shall be revived to sit, without a new Order from the House, made after Eleven o'Clock, and that no Parties or Witnesses, shall attend without new Summons.

Sabbati, 30 Aprilis, 1642.

Ordered, That the several Chairmen of the several Committees, be required to set up Notes at the Door, of the Times and Places, when the several Committees do meet.

Lunæ, 12 Februarii, 1648.

Ordered, That no Committee of the House do sit in the Morning after Nine o'Clock, and the House to be enjoined to meet every Day at Nine in the Morning.

Veneris, 20 December, 1650.

Resolved, That such Committees of the House, who shall have Occasion to call any other Persons to attend them upon any Bill, or other Business to them referred; do from henceforth forbear to sit in any of the Rooms within the Doors of the Parliament-House, called the Speaker's Chamber, but that they sit in such other Place, as they shall think fit.

Thursday,

Thursday, 1 May, 1651.

Resolved, That every Order that shall be made by any Committee of Parliament, shall from henceforth be signed by so many, at the least of the Members of that Committee, as are of the Quorum of that Committee.

Thursday, 21 Januarii, 1657.

Ordered, That the Names of the several Committees be set up, without at the Door of this House, by the Clerk of this House To-morrow Morning.

Sabbati, 26 Maii, 1660.

Ordered, That the Standing Committees of this House, be posted up at the Door of this House, that Persons may take Notice where they sit.

Martis, 14 Maii, 1661.

Bill for securing the King's Person committed.

Resolved upon the Question, That no Member of this House, who is not of this Committee, is to have any Vote thereat.

Veneris, 24 May, 1661.

A Bill for draining the Fens committed.

Resolved, That no Member within the Six Counties (into which the great Level of the Fens doth extend) nor any other Members of this House, who are Undertakers, or concerned in Point of Interest, as Adventurers or Undertakers herein, though particularly named, do sit or have any Vote at the Committee, to whom the two Bills concerning the great Level of the Fens, were upon the second Reading this Day committed.

This Order rectified 28 May 1661.

Ordered, All the Members of the Six Counties, and all other Members of that, saving such as are concerned in particular Interest, as Owners, Undertakers, or

or Adventurers, are to have Voice, at the said Committee.

The same Order extended 26 Nov. 1661.

Ordered, That no Members of the said Committee, that are Owners, Undertaker or Adventurers, or otherwise concerned in Point of Interest, in the Fens in Question, shall have any Vote thereat.

Mercurii, 20 May, 1663.

Ordered, That it be declared to be the ancient Order and Course of the House, that when any Bill be committed, no private Member ought to take it away; but the Clerk of the House, or his Deputy, is to attend with the Bill and Order at the Time and Place appointed, for the first Meeting of the Committee, and deliver the same in at the Committee, after the Chairman is chosen.

Sabbati, 16 March, 1688.

Mr. *Foley*, Chairman of the particular Committee for the Grievances, acquaints the House, that there have several Matters appeared to the Committee, relating to some Persons, Members of this House, and that therefore he was directed by the Committee to take the Directions of the House what was fit to be done therein, and a Debate arose thereupon.

Resolved, That if any Member of the House refuses (upon being sent to) to come to give Evidence or Information, as a Witness to a Committee, that the Committee ought to acquaint the House therewith, and not summons such Member to attend the Committee.

Resolved, That if any Information come before any Committee, that chargeth any Member of the House, the Committee ought only to direct, that the House be acquainted with the Matter of such Information, without proceeding further thereupon.

Martis, 13 Martii, 1693.

Resolved and Declared, That it is the constant Rule and Order of the House, that no Committee ought to sit

fit after the Hour to which the House is adjourned, without the special Order of the House.

Revived 6 *March* 1695.

Lunæ, 19 *November*, 1694.

Ordered, That no Committee sit in a Morning; without special Leave of the House.

Revived 9 *February*, 1697, and 29 *November*, 1710.

Martis, 8 *March*, 1694.

Ordered and Declared, That a Motion for adjourning of Committees may be made after one o' Clock.

Veneris, 18 *February*, 1697.

Ordered, That no Committee, who shall have Leave to sit in a Morning, do sit after ten o' Clock.

Revived 1 *March*, 1698.

Mercurii, 19 *Aprilis*, 1699.

Ordered, That no Committee do meet at any Time, until two Hours after the rising of the House.

Veneris, 24 *November*, 1699.

Ordered, That the Chairman of the Committee, upon the Report of every private Bill, do acquaint the House, whether the Allegations of the Bill have been examined, and the Parties concerned have given their Consents to the Satisfaction of the Committee.

Ordered, That the Chairman of the Committee, for any private Bill do not sit thereupon, without a Week's Notice thereof set up in the Lobby.

Declared to be standing Orders 16 *February*, 1700. and 18 *January*, 1708.

Mercurii, 18 *January*, 1698.

A Complaint having been made to the House, that there have been of late great Numbers of Strangers at the

the Committee of Privileges and Elections, that the Members cannot, &c.

Ordered, That the Serjeant at Arms attending this House do give Orders to the Door-keepers, and Messengers of the House constantly to attend the Committee of Privileges and Elections, and other Committees sitting in the House, and take care that no Person do crowd, or sit upon the Seats of the House, either below, or above in the Gallery, where the Members ought to sit; and that such Witnesses as shall be examined at the said Committee do attend in the Lobby, and be called in one by one, and severally examined, and then withdraw, for others to come in and be examined, and that the Passage be kept clear for that Purpose.

Revived, and made a standing Order of the House 16 December, 1699—and 8 December, 1711.

Lunæ, 29 January, 1699.

Ordered, That the Order touching Committees being adjourn'd at the Rising of the House, do extend only to such Committees as are to sit in the Afternoons of the Days upon which Committees shall be adjourn'd.

Mercurii, 28 February, 1699.

Ordered, That all Committees who shall sit in a Morning do rise when the House sits, or in Default thereof, that what they shall do after the Sitting of the House be void.

Revived 3 February, 1701.

Martis, 11 March, 1700.

Resolved, That in case (upon the Days the Committee of Privileges and Elections is to sit) there shall be a Debate in the House hold till four o'Clock, the said Debate shall be then adjourn'd till a further Day.

Veneris, 28 November, 1707.

Ordered, That no Committee do meet, or sit in a Morning after Prayers; and that all that shall be

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done

done at any Meeting or Sitting of any Committee, after that Time, be void, and that Mr. Speaker do from Time to Time acquaint the House with such Committees, as shall not observe this Order.

Mercurii, 10 February, 1730.

Ordered, That the Serjeant at Arms attending this House do from Time to Time, when the House is going to Prayers, give Notice thereof to all the Committees; and that all Proceedings of Committees in a Morning, after such Notice be declared, to be null and void.

ORDER touching Conferences.

Lunæ, 26 Martii, 1604. 1 Jac.

NOTED as an ancient Rule of the House, that upon any Conference, the Number of the Commons named for the said Conference are always double to those of the Lords, and the Place of Meeting appointed by the Lords.

2 April, 1604.

First, Whether the House were resolved in the Matter?

Secondly, Whether they should confer with the Judges?

And at length induced the House to entertain the latter Question; and being made, was carried by general Voice in the Negative, no Conference.

Upon this Passage it was urg'd for a Rule, that a Question being once made and carried, in the Affirmative or Negative, cannot be questioned again, but must stand as a Judgment of the House.

15 March, 1620. 18 Jac.

Resolved, That in prescribing of Conferences between both Houses moving from the Lords, they have done it verbally upon the Lords Report, entered into their Journal-Book ; yet now Order for the House to afford the Lords the Expite about the Business, because it consists of so many Heads ; but Sir *Edward Coke* to move the Lords this may not hereafter be taken for President. *Vide* the Report.

12 May, 1627. 4 Car.

Ordered, All the Gentlemen to give Room to the Reporters.

Lune, 2 August, 1661.

The Lords desire a present Conference by a Committee of both Houses presently in the Painted Chamber, if it may stand with the Conveniency of this House.

Answer return'd by the same Messengers, that this House has taken their Lordships Message into Consideration, and will return an Answer by Messengers of their own.

Mr. *Pym* went up to the Lords with this Message ; Whereas this House has received a Message from their Lordships for a present Conference, without any Expression of the Subject or Matter of the Conference, which is contrary to the constant Course of either House, and therefore this House cannot yield to a present Conference.

Martis, 3 August, 1641.

Ordered, That Sir *John Evelyn*, Mr. *Stroude*, and Mr. *Nichols*, are to go and take the Names of such Members as do now stay behind in the Painted Chamber ; and likewise it is ordered, that such of the Members, whose Names are returned by them, shall pay five Shillings a-piece ; and that the Clerk shall demand

mand the five Shillings of the said Gentlemen accordingly.

Lunæ, 26 February, 1643.

Ordered, That Sir Thomas Cbeeke do desire the Earl of Stamford to forbear coming to the Committees of this House, it being contrary to the Privilege of the House.

The Lords Order, 21 February, 1647, declaring the Right of every Peer to come to any Committee of both, or either House; and in particular to the Committee of both Kingdoms, this first of March read, and Conference desired of the Lords thereon; and Committees to prepare a Declaration to be offered, whereby they may express the Resentment the House has of the Proceedings of the Lords herein.

Sabbati, 25 August, 1660.

Ordered, That the Serjeant at Arms attending this House suffer none to go out of the House, till those that are to manage the Conference are gone forth.

Mercurii, 6 February, 1688.

The House being inform'd, that there was so great a Crowd in the Painted Chamber, that the Members appointed to manage the free Conference, could not come to the Bar.

Ordered, That the Serjeant at Arms attending this House do go immediately (without the Mace) to the Painted Chamber, and require the present Return to this House of all the Members thereof, who are in the painted Chamber, (except Serjeant Maynard, Sir Robert Howard, and Mr. Pollexfen) who are at present lame, in order to the Room's being clear'd of Strangers.

The House being inform'd by the Serjeant at Arms, that he had acquainted the Members with the Order of the House, and that very few of them took Notice of the Direction of the House,

Ordered,

Ordered, That the Clerk of this House do go immediately (with the Signet) and take the Names in writing of such Members, as shall refuse to obey such the Direction of the House.

Sabbati, 16 January, 1702.

Ordered, That no Members do presume to stand within the Bar at the Table, in the Painted Chamber; but such as are appointed Managers, and the Serjeant to summon the Members to attend the House.

Ordered, That no Members do presume to go out of the House, till the Managers are gone out for the free Conference, and until Mr. Speaker do leave the Chair.

ORDERS touching Messages from the King and the Lords.

5 May, 1604.

AGREED for a Rule, that if we differ from the Desire of the Lords propounded by their Messengers, then we are to send by our Messengers.

14 February, 1606.

On a Message from the Lords, it was conceived as a Rule, when we yield them, we might send Answer by such Messengers as come from the Lords, if not then, to send by our own.

11 May, 1610.

Great Debate touching the Speaker's bringing Messages from the King.

Whereupon resolved, that this Manner of receiving a Message from the whole Body of the Council by Mr. Speaker, should be no Precedent hereafter.

The Order allowed to be entered, *12 May 1610.*

15 February, 1620. 18 Jac.

When the Messengers deliver the Message, none ought to speak to them, to speak out. Agreed to be the Course of the House, not to speak to them; for Mr. Speaker is to relate it to the House.

10 March, 1620. 18 Jac.

A Message from the King by Mr. Attorney-General, &c.

Resolved, Mr. Attorney-General should come up to the Table, and Mr. Speaker and the whole House to be bare whilst the Message was delivered.

Sabbati, 10 April, 1641.

Notice being given of a Message from the Lords, it was ordered.

That all the Members keep their Seats, and go not out without Leave.

Nor speak to the Messengers, 3 May 1641.

Nor speak to the Messengers coming in or going out, 27 January 1641.

Marlis, 31 August, 1641.

A Message from the Lords, by Dr. Bennet alone.

Exception was taken, that the Lords sent but one Messenger. It was declared, that it was the ancient Right of this House, to have two Messengers sent from the Lords to this House upon all Occasions; howsoever at this Time, the House was willing to pass it over.

Jovis, 22 Maii, 1645.

Ordered, That after Notice shall be given to Mr. Speaker of any Message from the Lords, that no new Motion of any Business whatsoever shall intervene, but that the Messengers shall be presently admitted, after that the Business then in present Agitation shall be dispatched.

Sabbati,

Sabbati, 25 October, 1645.

Resolved, That the Messengers from the Lords be always called in immediately, after that the Business then in present Agitation shall be concluded, and that no other new Business whatsoever intervene between that Business, and the Admission of the Messengers.

Lunæ, 11 Sept. 1648.

Ordered, That when Messengers are sent from the Lords to this House, as soon as the Business in Agitation, when the Messengers come, is ended, then the Messengers from the Lords to be called in.

ORDERS *for the sitting of the House in a Morning, and Rising, and Members coming after Prayers to pay, and touching keeping Places in the House.*

14 February, 1606.

AN Order moved and settled, that the House should assemble every Day at eight o'Clock, and enter into the great Business at nine o'Clock.

23 May, 1614. 12 Jac.

Ordered, That the House shall sit every Day at seven o'Clock in the Morning, and to begin to read Bills secondly at eight o'Clock.

To meet at half an Hour after seven, and Bills to be put to Passage by eight o'Clock, *24 April, 1624, 22 Jac.*

Jovis, 26 November, 1640.

Ordered, That neither Book nor Glove, may give any Man Title or Interest to any Place, if they themselves be not at Prayers.

Sabbati, 1 May 1641.

Ordered, That all the Members of this House, that shall come to the House after eight o'Clock, shall pay 1 s. except it shall appear to the House, that they are employed in the Service of this House, to be disposed of as the House shall think fit, and the Serjeant is to gather this Money; and if any Member shall forbear to come for the whole Day, he shall pay 5 s. unless he have Licence from this House, or be Sick, or be in the Service of the House.

Martis, 19 April, 1642.

Ordered, That whosoever shall not be here at Prayers every Morning at eight Clock, shall pay 1 s. to the Poor; and every Member that shall come after Prayers, is ordered to pay 1 s. to the Serjeant without any further Demand.

Mercurii, 14 February, 1743.

Resolved, That the House do meet every Day at nine o'Clock and rise at twelve; and Mr. Speaker is to put the House in mind hereof, and that such Members that come after nine, shall pay 1 s. to the Poor; and that if any Member shall begin, or make a new Motion after twelve o'Clock shall pay 5 s. to be collected in like Manner, and likewise disposed of to the Poor.

A Box is to be prepared and set up at the Door to this Purpose, and the Burgesses of *Westminster*, are to take care that the Money be duly paid.

Mercurii, 22 April, 1646.

Ordered, That whatsoever Member of the House, shall during the Time the House is at Prayers, continue either in the Committee Chamber, or in the Judges Room, and shall not come and be present at Prayers, shall forfeit and pay for every Time, he shall so absent himself, 1 s. to be collected by the Serjeant at Arms, and to be distributed to the Poor.

Revived

Revived 15 January, 1654, and 24 November, 1656.

Martis, 21 Martii, 1647.

Ordered, That so soon as the Clock strikes twelve, Mr. Speaker do go out of the Chair, and that the House rise, and no new Motion be made after twelve o'Clock.

Sabbati, 23 March 1649.

Resolved, &c. That every Member that doth not attend the Service of the House at nine o'Clock in the Morning, shall pay 1s. to the Poor, and the Serjeant to collect the same of all the Members that shall come after that Time.

Martis, 31 May, 1659.

Ordered, That Mr. Speaker do constantly every Morning take the Chair by eight o'Clock, and that the Council of State, and Committees of this House do forbear to sit in the Morning after eight o'Clock, and do then give their Attendance on the Service of the House, and that the House do rise every Day at twelve o'Clock, and that no Motion be made after twelve o'Clock; but that Mr. Speaker is hereby enjoined then to rise.

Martis, 29 April, 1679.

Resolved, That this House will every Day adjourn, till seven o'Clock the next Morning.

Lunæ, 24 March, 1679.

Resolved, That that House will begin to sit every Morning at nine o'Clock, and that no new Motion be made after one o'Clock.

The same Order for Motions, 25 November, 1695.
To proceed on Business at ten o'Clock, &c. 2 November, 1696.

Lunæ,

Lunæ, 19 November, 1694.

Resolved, That this House will every Morning at ten o'Clock enter upon public Business, and that no private Business be proceeded upon after ten o'Clock.

Lunæ, 10 Martii, 1734.

Complaint being made to the House, that Places were kept in the House for Members who were not at Prayers, by laying Papers for that Purpose.

Declared, That no Member is to keep any Place in the House by Book, Glove, Paper, or otherwise, till after Prayers, and then only for himself.

Jovis, 13 Martii, 1734.

Resolved and Declared, That the Declaration of the House of the 10th Day of this Instant *March*; that no Member is to keep any Place in the House by Book, Glove, Paper, or otherwise till after Prayers, and then only for himself; does not extend to a Member who takes a Place by and for himself only before Prayers, and leaves a Book, Glove, Paper, or other Mark of the same, provided such Member be at Prayers.

Veneris, 29 January, 1741.

The House was moved, that the several Resolutions of the House of the 26 *November, 1640*; and the 10th and 13th *March, 1734*, relating to the Method of taking Places in the House might be read, and the same were read accordingly, and ordered to be printed in the Votes of the Day.

ORDERS

ORDERS touching private *Business, Petitions and Motions.*

28 June, 1610.

ORDER that if any Stranger prefer any Grievance, he must stand by at the Reading.

12 May, 1627. 4 Car.

Mr. *Burges*s sendeth in a Petition, but it being not signed, the House signified to him that brought it by the Serjeant, that they could not meddle with it in that Respect.

4 December, 1640.

Ordered, That the Business in Agitation being ended, no new Motion of any new Matter shall be made without leave of the House.

Mercurii, 23 March, 1641.

Ordered, That no new Motion shall be made after twelve o'Clock.

Luna, 29 January, 1643.

Resolved, &c. That when any Motion is made in the House, for any Member or other Person for any Place or Office to be conferred upon them, that the House shall take a Day's Time, requisite to consider of the same, before they make Order therein, and to be made in a full House.

Luna, 1 April, 1644.

Ordered, That no Member do offer to move after Prayers are done, till the Minister that prayed be gone out the House.

Jovis, 22 May, 1645.

Ordered, That Mr. Speaker shall not hear any new Motion after twelve o'Clock.

Sabbati,

Sabbati, 25 October, 1645.

Ordered, That no new Motion of any Business whatsoever shall be made after twelve o'Clock; and that Mr. Speaker shall not hear any new Motion after twelve o'Clock, and the House immediately to rise, and that Mr. Speaker do then leave the Chair, unless the House be in the Debate of a Business, or the House otherwise order.

Revived 23 March, 1649.

Martis, 23 September, 1646.

Resolved, That no private Petition to be directed to the Parliament, be printed before the same be read in the House.

Lunæ, 1 December, 1646.

Ordered, That the Order against Printing private Petitions before they are presented to the House, be duly observed; and that the Serjeant attending this House, shall seize upon such printed Petitions, in the Hands of any Persons that shall deliver or disperse the same.

Sabbati, 8 October, 1659.

Resolved, That no Person propounded, as to any Office of Profit or Trust shall be passed the same Day that he is propounded; and that Mr. Speaker put the House in Mind thereof.

Resolved, That such Persons as shall present any Person to this House, for any Place of Profit or Trust, shall give in his Name under his Hand, and leave it with the Clerk of this House, and that they believe him to be a Person within the Qualification of the 9th of May, 1659.

Mercurii, 25 April, 1660.

Resolved, That no new Business be brought in, or entertained in the House after twelve o'Clock.

Jovis,

Jovis, 23 August, 1660.

Resolved, That no private Business be entertained by this House, on any Day after half an Hour after nine o'Clock, till further Order.

After ten o'Clock, 26 November, 1660. — After nine o'Clock.—10 June 1661. After ten o'Clock, 4 February, 1692, and 24 January, 1693. — After eleven o'Clock, 29 January, 1693.

Martis, 29 April, 1679.

Ordered, That the Standing Order of the House, that no new Motion be made after twelve o'Clock, be strictly and constantly kept and observed.

Veneris, 4 February, 1697.

Ordered, That no Petitions be received after ten o'Clock in the Forenoon.

ORDER touching Quarrels.

Lunæ, 28 April, 1645.

Ordered,

THAT if any Quarrel happen between any Gentlemen or others, in any Place, within the Cities of *London* and *Westminster*, and the Lines of Communication, (the House not sitting) that upon Information thereof to Mr. Speaker, he shall have Power to send for the Parties, and secure their Persons, till the House be acquainted with it, and take further Order.

ORDERS

ORDERS touching Witnesses.

Mercurii, 11 November, 1640.

IT was declared as a constant Rule of this House, that if a Witness be brought to this House, the House sitting, the Bar ought to be down ; otherwise, if the House be in a Committee.

Jovis, 25 November, 1647. Post Meridiem.

Resolved, &c. That this House doth declare, that the Persons that are summoned to attend any Committee of this House, as Witnesses, in any Cause depending before them, ought to have the Privilege of Parliament, and to be free from Arrests in coming, staying, and returning to the said Committee.

Veneris, 8 March, 1688.

Resolved, That it is the undoubted Right of this House, that all Witnesses summoned to attend this House, or any Committee appointed by it, have the Privilege of this House in coming, staying and returning.

Jovis, 2 May, 1695.

Resolved, That the House doth agree with the Committee in the said Resolution, that the proper Method to compel Witnesses to come in, and give their Evidence upon Impeachments, is in the first Place to issue out Summons from this House to such Witnesses for their Attendance.

Lunæ, 29 January, 1699.

A Complaint being made to the House, that the Messengers belonging to the Serjeant at Arms attending this House had demanded Moneys of several Persons summoned by them to attend Committees,

Declared,

Declared, That no Person summoned to attend the House or Committees, as Witnesses, ought to pay any thing for their being so summoned.

Jovis, 10 Maii, 1743.

Complaint being made to the House of the Proceedings of the House of Representatives of the Province of *Massachusetts Bay*, against *Jeremiab Dunbar*, Esq; and the Censure passed upon him by the said Representatives in the Months of *December* and *January* last, for giving Evidence in the Session of Parliament preceding the last, before a Committee of this House, to whom a Bill then depending in this House, for the better securing and encouraging the Trade to his Majesty's Sugar Colonies in *America*, was committed; and a Paper printed at *Boston* in *New England*, intituled Votes of the House of Representatives being offered to the House.

The said Paper was brought up to the Table, and several Paragraphs therein were read, in which the afore-mentioned Proceedings against the said *Jeremiab Dunbar*, and the Censure passed upon him, are contained.

Resolved, Nemine Contradicente, That the presuming to call any Person to Account, or to pass a Censure upon him for Evidence given by such Person before this House, or any Committee thereof, is an audacious Proceeding, and an high Violation of the Privilege of this House.

Ordered, That a Committee be appointed to enquire who were the Authors and Abettors of the Proceedings against *Jeremiab Dunbar*, Esq; in the House of Representatives of the *Massachusetts Bay*, in the Months of *December* and *January* last past at *Boston* in *New England*, on Account of the Evidence given by the said *Jeremiab Dunbar*, before a Committee of this House in the Year 1730.

**ORDERS touching chusing Commissioners of
Accompts, and Army Accompts, &c.**

Sabbati, 4 November, 1643.

Committee ordered to take Account of all publick Moneys issued; no Member, or other Officer liable to account, to be of the Committee.

Jovis, 21 March, 1694.

Resolved, That the Speaker of this House is capable of being chosen a Commissioner for taking and stating the publick Accounts.

Resolved, That no Person be a Commissioner, who hath any Office of Profit, or is accountable to his Majesty.

The same 1 February, 1695.

Mercurii, 19 April, 1699.

Commissioners to be seven for taking an Account of the forfeited Estates in *Ireland*.

Ordered, That no Member of this House be a Commissioner.

Veneris, 13 Maii, 1720.

A Bill for appointing Commissioners for stating the Accounts of the Army.

Resolved, That no Person be a Commissioner, who hath any Office of Profit, or is accountable to his Majesty.

Resolved, That the said Commissioners may be Members of this House.

Resolved, That no Person who hath been, or is an Agent, be a Commissioner in the said Bill.

ORDERS *about bringing Delinquents and Prisoners to the Bar.*

9 May, 1604. 1 Jac.

RULE, that no Delinquent is to be brought in, but by the Serjeant with his Mace.

6 March, 1625. 1 Car.

Mr. Attorney being come to give Satisfaction to the House from the Duke of Bucks,

Resolved, He be brought in with the Mace, and then stand at the Bar to be heard, and then to withdraw.

Luna, 12 December, 1723.

The Order of the Day being read for the second Reading of the Bill for inflicting certain Pains and Penalties upon George Kelly, *alias Johnson*.

Ordered, That the Serjeant at Arms do stand with the Mace at the Bar, whilst the Prisoner is there.

ORDER *touching Naturalization.*

Sabbati, 2 Maii, 1668.

Ordered,

THAT when any Persons come to be naturalized hereafter, they do first take the Oaths of Allegiance and Supremacy in the House, after the Speaker takes the Chair, according to ancient Form.

*House of Commons Right of Commitment.**Luna, 7 Junii, 1675. Post Meridiem.**Resolved, Nemine Contradicente,*

THAT no Person committed for Breach of Privilege, by Order of this House, ought to be discharged during the Session of Parliament, but by Order, or Warrant of this House.

Mercurii, 9 Junii, 1675.

Resolved, Nemine Contradicente, That no Commoner of *England*, committed by Order or Warrant of the House of Commons for Breach of Privilege, or Contempt of that House, ought, without Order of that House, to be by any Writ of *Habeas Corpus*, or any Authority whatsoever, made to appear and answer, and to do and receive a Determination in the House of Peers, during that Session of Parliament, wherein such Person was so committed.

Martis, 22 March, 1697.

Resolved, That no Person committed by this House can, during the same Session, be discharged by any other Authority whatsoever.

Jovis, 26 February, 1701. 14 Gul. III.

Colonel *Granvil* reported from the Committee of the whole House, to consider further of the Rights, Liberties, and Privileges of the House of Commons, that they had come to several Resolutions, which they had directed him to report, when the House will please to receive the same.

The Report ordered to be read immediately, and he reported, *viz.*

First, Resolved, That it is the Opinion of this Committee, that to assert that the House of Commons is not the only Representatives of the Commons of *England*,

England, tends to the Subversion of the Rights and Privileges of the House of Commons, and the fundamental Constitution of the Government of this Kingdom.

Secondly, Resolved, That it is the Opinion of this Committee, that to assert, that the House of Commons have no Power of Commitment, but of their own Members, tends to the Subversion of the Constitution of the House of Commons.

Thirdly, Resolved, That it is the Opinion of this Committee, that to print or publish any Books or Libels reflecting on the Proceedings of the House of Commons, or any Member thereof, for, or relating to, his Service therein, is a high Violation of the Rights and Privileges of the House of Commons.

Fourthly, Resolved, That it is the Opinion of this Committee, that it is the undoubted Right of the People of *England* to petition, or address to the King, for the calling, sitting, or dissolving of Parliaments, and for the redressing of Grievances.

Fifthly, Resolved, That it is the Opinion of this Committee, that it is the undoubted Right of every Subject of *England*, under any Accusation, either by Impeachment or otherwise, to be brought to a speedy Trial, in order to be acquitted or condemn'd.

The said Resolutions being severally read a second Time, were upon the Question severally put thereupon agreed to by the House.

Jovis, 8 March, 1704.

Resolved, That no Commoner of *England*, committed by the House of Commons for a Breach of Privilege, or Contempt of that House, ought to be, by any Writ of *Habeas Corpus*, made to appear in any other Place, or before any other Judicature during that Session of Parliament, wherein such Person was so committed.

Resolved, That the Serjeant at Arms attending this House do make no Return of, or yield any Obedience to the said Writs of *Habeas Corpus*; and for such his

Refusal, that he have the Protection of the House of Commons.

Resolved, That the Lord Keeper be acquainted with the said Resolutions, to the End that the said Writs of *Habeas Corpus* may be superseded, as contrary to Law, and the Privilege of this House.

Ordered, That the Clerk of this House do acquaint the Lord Keeper of the Great Seal of *England*, with the said Resolution.

Veneris, 4 April, 1707.

Resolved, That when any Person ordered to be taken into the Custody of the Serjeant at Arms, shall either abscond from Justice, or having been in Custody, shall refuse to pay the just Fees, in either of those Cases, the Order for Commitment shall be reviv'd at the Beginning of the next Session of Parliament, and that this be declared to be a standing Order of the House.

Jovis, 19 Junii, 1746.

Resolved, That the Serjeant at Arms attending this House is intitled to, and ought to take and receive from every Person, who shall be brought to the Bar of this House, to be reprimanded by Mr. Speaker, the Fees following; the Fee of 5*l.* or 3*l.* 6*s.* 8*d.* (according to the Table of Fees) for taking a Person into Custody, the Fees for one Day in Custody, *viz.* 1*l.* for himself, and 6*s.* 8*d.* for bringing a Criminal to the Bar.

Lunæ, 16 Junii, 1746.

Resolved, That the Serjeant at Arms attending this House is intitled to, and ought to take and receive a Fee of 6*s.* 8*d.* and the Caption Fee of 3*l.* 6*s.* 8*d.* and the Fee of 1*l.* 6*s.* 8*d.* for one Day in Custody, from every Person who shall be brought to the Bar of this House to be reprimanded by Mr. Speaker.

ORDERS

ORDERS on the Question, the Yeas, or Noes
going out.

2 April, 1604. 1 Jac.

A Greed for a Rule, that a Question being once made, and carried in the Affirmative or Negative, cannot be questioned again, but must stand as a Judgment of the House.

Veneris, 15 June, 1604.

Agreed for a Rule, that upon the adding of a new Thing, the Question is to be put in the Affirmative, upon the continuing of an old in the Negative.

Question made, whether the Law shall continue until the End of the next Session of Parliament.

Much Difference in Dispute, whether upon this Question, the Yea, or No shall sit.

Affirmed and conceived as a Rule, that when any Alteration is required of a Law in being (as in this Case) and thereupon a Question put, the Yeas must sit still, and the Noes go forth.

28 November, 1621. 19 Jac.

Resolved, That when a general Vote of the House concurrerth in a Motion propounded by the Speaker, without any Contradiction, there needeth no Question.

11 Maii, 1626. 2 Car.

Question, Whether the Yeas or Noes should go out, much Debate about it.

A Rule, that whosoever will have a Thing must go out, and so get it.

Veneris, 6 November, 1640.

Upon Debate of granting Time to those that are doubly returned, for making their Choice, &c.

Whether the Question should be first made for Monday next, or for longer Time.

Resolved upon the Question, That the Question for Monday should be first made.

Jovis, 10 December, 1640.

Upon the Difference of the Yeas and Noes, the House being divided, it was declared for a constant Rule.

That those that give their Votes for the Preservation of the Orders of the House, shall stay in; and those that give their Votes otherwise, to the introducing of any new Matter or Alteration, shall go out.

ORDERS touching Motions, and Speaking in the House.

14 April, 1604. I Jac.

MEMBERS mistaking the Question interrupted by Mr. Speaker, and thereupon a Rule conceived, viz.

That if any Man speak impertinently, or besides the Question in Hand, it stands with the Order of the House, for Mr. Speaker to interrupt him, and to know the Pleasure of the House, whether they will further hear him.

Martis, 17 April, 1604.

Agreed for a Rule, that if any superfluous Motion or seditious Speeches be offered in the House, the Party is to be directed and ordered by Mr. Speaker.

19 May, 1604.

A Rule agreed, If any Man speak not to the Matter in Question, the Speaker is to moderate.

21 June, 1604.

Agreed for a Rule, That when Mr. Speaker desires to speak, he ought to be heard without Interruption, if the House be silent and not in Dispute.

17 May, 1606.

Any Man may speak after the Affirmative Question, and before the Negative.

21 April, 1610.

If a Bill be continued in Speech two Days, one may not speak twice.

13 April, 1614. 12 Jac.

Mr. Speaker, for the Dignity and Gravity of the House, ordered, that no Interruption be made, till the Speech of the Party speaking, be ended and ruled.

3 May, 1621. 19 Jac.

Resolved, That though a Matter be ordered in the House upon the Question, yet if after, the same Matter come in again by Bill, any Member may speak to this Matter, Pro or Contra, as his Opinion is, and the said Question formerly made and passed, precludeth him not.

Martis, 10 November, 1640.

It was declared, That when a Business is begun and in Debate, if any Man rise to speak to a new Business, any Member may not, but Mr. Speaker ought to interrupt him.

The ORDERS of every Day to be read the next Morning.

Mercurii, 27 October, 1680.

Ordered,

THAT the Votes of each Day be read the Day following, the first Business.

Veneris, 21 March, 1678.

Ordered, That the Orders for every Day be read the next Morning before any other Business.

Martis, 14 Martii, 1698.

Ordered, That the Orders for the Business appointed for the Day, be read every Day at eleven o'Clock.

The ORDERS of the House pleadable.

Mercurii, 10 June, 1689.

A Debate arising in the House, whether the Orders and Proceeding of this House, being pleaded to the Jurisdiction of the Court of *King's-Bench*, the same ought to be over-ruled.

Resolved, That the Orders and Proceedings of this House, pleaded to the Jurisdiction of the Court of *King's-Bench*, ought not to be over-ruled.

On

On Royal Assent to Bills, whether the House may proceed without Prorogation.

Mercurii, 21 November, 1554.

UPON a Question asked in the House, If upon the Royal Assent, the Parliament may proceed without any Prorogation ; it is agreed that it may.

BLACK-ROD.

Lunæ, 10 May, 1641.

Memorandum,

THAT Mr. *Maxwell* coming to the House with a Message, without his Black-Rod, and coming in before he was called in, Exception was taken at both.

R E C E S S.

Veneris, 27 August, 1641.

Resolved upon the Question,

THAT this House doth declare, that they are not so bound up by the Order for the Recess, but that if any emergent Occasion shall arise, they may recede from it.

Papists

Papists not to come near the House during this Parliament.

Mercurii, 10 December, 1690.

Ordered,

THAT no Papists do presume to come into *Westminster-hall*, the Court of Requests, or Lobby of this House, during the sitting of this Parliament; and this Order to be pasted up at *Westminster-ball-gate*, and in the Lobby of this House, and that the Serjeant at Arms attending this House, do take into Custody all such Persons as shall offend against the said Order.

ORDERS touching the Journals, Minute-Book, &c.

3 Julii, 1607.

SIR *Edwin Sandys* reported from the Committee, to peruse and consider of such Entries as are made by the Clerk in his Journal-Book, &c. with the Reasons, &c. That it is thought convenient by the Committee, that this Order should be entered, and upon Question, Resolved to be entred in these Words, viz.

That between this and the next Session of Parliament, the Clerk shall perfect this Journal-Book for these three first Sessions, and that no Matter of Message, or Conference, or Resolution of the House proceeding thereupon, shall be of Record or in Force, till such Time as the same be perused and perfected by a Committee to be chosen the next Session of Parliament, and approved by the House; and that from henceforth, the Committee of Privileges do every Saturday in the Afternoon peruse and perfect the Book of Entries, in all such Matters as aforesaid, and that in

in Regard of the great Pains, which the Clerk is to take in perfecting the said Journals, some Course be taken, the next Session, for his better Encouragement.

9 February, 1609.

The said Order for the Journal-Book continued.

Veneris, 10 December, 1641.

Sir *Arthur Hoeslerigg*, moved the House against the Clerk, for suffering his Journals, or Papers committed to his Trust, to be taken by Members of this House from the Table; for that if any Alteration were made in an Order, though but in a Word, the Clerk could not answer it, and therefore desired, it may be ordered for the future, the Clerk should not suffer the same, it being against the Duty, and the Trust he is sworn unto; but the House declined the making of any Order herein; declaring, that it was a fundamental Order of this House, that the Clerk who is a sworn Officer, and intrusted with the Entries and the Custody of the Records of the House, ought not to suffer any Journal or Records to be taken from the Table, or out of his Custody; and if he shall hereafter do it, after this Warning, that at his Peril he shall do it.

Lunæ, 22 October, 1666.

Resolved, &c. That no Person be permitted to have Inspection of the Journal-Book, but such as are Members of this House.

Lunæ, 4 February, 1666.

Ordered, That the Committee appointed to inspect the Journals be revived, and do examine the same every *Saturday*.

Sabbati, 4 December, 1669.

Resolved, That a Committee be appointed to peruse the Journals of this House, every *Saturday* in the Afternoon, and if there be any Mistake in Writing to rectify the same, and if they find any Omission or Mistake

take in the Entry of the Votes and Orders of the House, and to report the same to the House, and that it be referred to, &c.

The same 4 May, 1675.

Martis, 3 April, 1677.

Ordered, That no Member of this House do hereafter take off from the Clerk's Table, any Bill or Brief of a Bill, or the Journal-Book, or be permitted to take Notes, or copy thereout, during the sitting of the House, or a Committee of the whole House.

Mercurii, 11 Dec. 1678.

Ordered, That a Committee be appointed to inspect and peruse the Journals of this House, to see that due Entries be made, and make a Report of the Mistakes and Errors therein every *Monday Morning*.

Ordered, That the Orders of the House be drawn up every Day, and read the next Morning, before they be entered in the Journals.

Sabbati, 29 March, 1679.

Ordered, That the Orders and Proceedings of this House, after they are read every Morning, be entered in the Journals of the same Day.

Revived 27 October, 1680.

Ordered, That a Committee be appointed to inspect the Journals every Morning, and see that true Entries be made.

Jovis, 5 Maii, 1698.

Sir Rowland Gwyn acquainted the House, that upon searching for the said Precedents, they found that many of the Books of the Journals of the House, before the Year 1685, are much worn, ill-written, and without any Indexes.

Ordered, That all the Journals of this House, until the Year 1685, be fairly transcribed, and Indexes made, by the Clerk, of the Journals so transcribed, with References to the Folio's of the original Books;
and

and that it be recommended to the Lords Commissioners of the Treasury, to pay the Charges thereof.

Sabbati, 25 March, 1699.

Ordered and Declared, To be a Standing Order of the House, that no Member do take a Paper, or the Minute-Books from off the Table, to transcribe in the House, under the Displeasure and Censure of the House.

Lunæ, 31 May, 1741.

Resolved, That all the Books of the Proceedings or Journals of the House of Commons, now in the Custody of the Clerk of the said House, and commencing with the Book called *Seymour*, which begins with the Reign of King *Edward VI.* be printed.

Resolved, That 1000 Copies of the said Journals, be printed for the Use of the Members of this House; by the Appointment, and under the Direction of *Nicholas Harding, Esq;* Clerk of the House of Commons (the same not to exceed 30 Volumes) with a proper Preface and Index to each Volume, and a General Preface and Index to the Whole.

Resolved, That a proper Recompence be made to the said *Nicholas Harding*, for the Loss of Fees, which he and his Office will sustain by printing the said Journals.

Resolved, That an humble Address be presented to his Majesty that he will be graciously pleased to order the Sum of 5000 *l.* to be advanced to *Nicholas Harding, Esq;* Clerk of this House, towards enabling him to print the Journals of this House; and likewise the further Sum of 1000 *l.* as a Recompence to the said *Nicholas Harding*, for the Loss of Fees, which he and his Office may sustain, by printing the said Journals, and to assure his Majesty, that this House will make good the same.

Ordered, That the said Journals be printed by such Person, as shall be licensed by Mr. Speaker, and that no other Person do presume to print the same.

ORDERS

ORDERS *against the Printing the Votes and Proceedings of the House.*

Martis, 13 July, 1641.

THAT no Member of this House, shall either give a Copy, or publish in Print, any Thing that he shall speak here, without leave of the House.

22 March, 1642.

Resolved, &c. That whatsoever Person shall print any Act or Passages of this House, under the Name of Diurnal or otherwise, without the particular Licence of this House, shall be reputed a high Contemner and Breaker of the Privilege of Parliament, and to be punished accordingly.

Wednesday, 13 April, 1659.

Resolved, That the Orders and Resolutions of this House, shall not be printed by any Person or Persons whatsoever, without the special Leave of the House.

Lunæ, 25 Junii, 1660.

Resolved, That no Person whatsoever, do presume at his Peril, to print any Votes or Proceedings of this House, without the special Leave and Order of the House.

Revived 14 May, 1661.—5 June, 1663. — 14 May 1666, and 8 November, 1689.

Martis, 29 October, 1678.

Ordered, That none of the Votes of this House be dispersed, or published in the Coffee-houses.

The Votes on Question not to be printed, 22 January, 1688.

Mercurii, 23 October, 1689.

Ordered, That all the Votes of the House be printed, and that Mr. Speaker do peruse the Votes of the House, and order the printing of them.

Martis,

Martis, 11 February, 1695.

Ordered, That no News-Letter-Writer, do in their Letters, or other Papers that they disperse, presume to intermeddle with the Debates, or any other Proceedings of this House.

Revived 18 January, 1697.—3 January, 1703.

Sabbati, 22 December, 1694.

Moved that it may be a Standing Order of this House, that no more Votes of this House may be printed.

Ordered, That the Order of the 26 of *October* last, for printing the Votes be discharged.

The House finding the great Inconveniencies that have attended the Printing of the Votes.

Resolved, That it be a Standing Order of the House, that no Votes of the House shall be printed, without the particular Order of the House.

Resolved, That the Votes and Proceedings of the House be not published by the Clerks, or any other Person whatsoever.

Revived 25 February, 1702.

23 November, 1722.

On Question the Votes ordered again to be printed.

Mercurii, 23 January, 1703.

Resolved, That no News-Writer, do presume in their Letters or other Papers that they disperse (as Minutes, or under any Denomination) to intermeddle with the Debates, or any other Proceedings of the House.

Resolved, That no Printer or Publisher of any printed News-Papers, do presume to insert in any such Papers, any Debates or any other Proceedings of this House, or any Committee thereof.

Mercurii, 26 February, 1728.

Resolved, Nemine Contradicente, That it is an Indignity to, and a Breach of the Privilege of this House,

House, for any Person to presume to give in Writing, or printed News-Papers, any Account or Minutes of the Debates, or other Proceedings of this House, or of any Committee thereof.

Resolved, Nemine Contradicente, That upon Discovery of the Authors, Printers, or Publishers of any such written, or printed News Paper, this House will proceed against the Offenders with the utmost Severity.

Jovis, 13 Aprilis, 1738.

A Complaint being made to the House, that the Publishers of several written and printed News Letters and Papers, had taken upon them to give Accounts therein of the Proceedings of this House,

Resolved, That it is an high Indignity to, and a notorious Breach of the Privilege of, this House, for any News-Writer, in Letters or other Papers, as Minutes, (or under any other Denomination) or for any Printer or Publisher of any printed News-Paper, of any Denomination, to presume to insert in the said Letters or Papers, or to give therein, any Account of the Debates, or other Proceedings of this House, or any Committee thereof, as well during the Recess, as the Sitting of Parliament; and that this House will proceed with the utmost Severity against such Offenders.

ORDERS touching Privilege and Protections.

Veneris, 19 February, 1550.

IT is ordered, that the Lord Chancellor may direct the King's Writ of Attachment to the President of the King's Council in the North Parts, to attach *Henry Witberington* and others, upon the Complaint of Sir *Robert Brandling*, Knight, Burgess for *Newcastle*, exhibited to the higher House.

Sabbati,

Sabbati, 20 February, 1550.

It is ordered, that if any Burgeses require Privilege for himself, or his Servant, he shall upon Declaration have a Warrant signed by Mr. Speaker to obtain a Writ: And for that *William Ward*, Burgeses of *Lancaster*, obtained a Writ of Privilege out of the Chancery, without a Warrant from this House, it is committed to Mr. *Mason* and others to examine the Matter and certify the same to the House.

Veneris, 6 December, 1555.

It is ordered that Mr. Comptroller, with others of the House, shall declare to the Lords, that their Opinion is, that their Privilege is broken; for that *Gabriel Pledall*, a Member of this House, was bound in a Recognizance in the Star-Chamber to appear there before the Council, within twelve Days after the End this Parliament.

Whereupon Mr. Comptroller, from the Lords, said They would send Answer thereof to the House.

Mr. *Martin* and Mr. *Lewis*, from the Lords, said They required six of the House to confer with the Lords for that Cause; and Mr. Comptroller, Mr. *S. Petre*, with four others, went up.

And they reported, that the Chief Justice, Master of the Rolls, and Serjeants, do clearly affirm, That the Recognizance is no Breach of Privilege.

Sabbati, 17 February, 1620. 18 Jac.

Ordered, Where any Member of the House hath Cause of Privilege to stay any Trial, a Letter shall issue under Mr. Speaker's Hand for staying thereof, without further Motion in the House.

3 March, 1620.

Resolved, That the former Course of writing Letters to the Justices of Assize, shall be observ'd according to Precedents; and, if required, a Warrant for Inhibition

bition to the Party shall be issued : And all these to be resolved by the House.

15 March, 1620.

Resolved, That no Protections be granted by any ; Service being the only Privilege in this House.

22 March, 1620.

Resolved, No Protections under any Man's Hand of this House is good.

1 June, 1621. 19 Jac.

Ordered upon Question, That in Case of any Arrest, or any Distress of Goods, serving any Process, Citation for his Person, arresting his Person, staying him in any Court, or breaking any other Privilege of this House, a Letter shall issue under Mr. Speaker's Hand for the Party's Relief therein, as if the Parliament were sitting, and the Party refusing to obey it, to be censured at next Meeting.

20 November, 1621.

Resolved by the House, That all Protections granted by any Member of this House to any, not his menial Servant or Attendant, are void ; and ordered, that if any shall hereafter avow any such Protections unlawfully given, or shall after this Time give any, shall incur the Censure of the House.

15 February, 1625. 1 Car.

Sir *John Finch* reporteth, that the Committee are of Opinion, that Sir *Thomas Badge's* Man shall be delivered by *Habeas Corpus* from this House ; upon Question, a Warrant ordered accordingly.

The House declareth, that notwithstanding the said Opinion of the Committee, that the House hath a Power, when they see Cause, to send the Serjeants immediately to deliver a Prisoner.

23 February, 1627. 4 Car.

Resolved upon Question, That every Member of this House is, during the Time of Privilege of Parliament, to have Privilege for his Goods and Estate.

Martis, 17 August, 1641. Post Meridiem.

To let the Lords understand, that the Conviction of divers Recusants has been hindred, under Pretence of Privilege of Parliament from their Lordships; and to declare unto their Lordships, that the Opinion of this House is, that no Privilege of Parliament ought to be allowed in this Case, for these Reasons. *First*, Privilege of Parliament is not to be allowed in Case of Peace, if Peace be required. *Secondly*, It is not to be allowed against any Indictment for any thing done out of Parliament. *Thirdly*, It is not to be allowed in Case of publick Service for the Commonwealth, for that it must not be used for the Danger of the Commonwealth. *Fourthly*, It is in the Power of this Parliament, and doth not bind the Parliament itself, so that their Lordships may withdraw their own Privilege as they see Cause; and therefore to declare, that in these two Cases of disarming of Recusants, and convicting of them, no Privilege of Parliament ought to be allowed.

Sabbati, 28 August, 1641.

The House doth declare, that all Men ought to pay the Rates chargeable upon them by the Act for Poll-Money, notwithstanding any Pretence of Privilege, or Letters Patent of Exemption whatsoever.

Sabbati, 14 April, 1648.

Ordered, That upon every Action or Suit commenced before the Lords Commissioners of the Great Seal of *England*, or in any of the Courts at *Westminster*, against any Members of Parliament, the said Lords Commissioners, Judges, and Barons of the several

ral Courts respectively, or any of them, shall by writing under his or their Hand and Seal give Notice thereof to every such Member : Whereupon the Member is enjoined to give Appearance, and proceed as other Defendants, in Case of like Suits or Actions, ought to do ; and, in Default thereof, both their Estates and Persons shall be liable to any Proceedings in Law or Equity, as other Members of this Commonwealth.

Jovis, 15 November, 1660.

Resolved and Declared by the Commons assembled in Parliament, that the Privilege of this House, in Point of Protections from Arrests, doth belong to the Members of this House, and their menial Servants only, and to the Officers attending the Service of the House ; and that all Protections in Writing, granted by any Member of this House, to any Person whatsoever, be forthwith called in, and are hereby declared to be null and void ; and all Persons, whom this may concern, are required upon all Occasions to take Notice of the Privilege belonging to the Members of this House.

Resolved, That this Order be forthwith printed and published.

Luna, 25 November, 1661.

Resolved upon the Question, That no Member of this House do grant any Protection to any, but such only as are their menial Servants ; and that all Protections already granted to any other Persons, besides menial Servants, be forthwith printed and published.

This Order revived 18 February, 1662, and 9 April, 1670.

Jovis, 28 November, 1661.

This House taking into further Debate the great Grievances of the People, occasioned by Protections,

Resolved,

Resolved, That all Protections, and written Certificates of the Members of this House, be declared void in Law, and be forthwith withdrawn and called in, and that none be granted for the future; and that the Privilege of Members for their menial Servants be observed according to Law; and if any menial Servant shall be arrested and detained, contrary to Privilege, he shall (upon Complaint thereof made) be discharged by Order from the Speaker.

Ordered, That this Order be forthwith printed and published.

Revived 9 *April* and 19 *December*, 1670.

Jovis, 7 *February*, 1677.

The same Order, with this Addition, *viz.* after for the future add, (and that if any shall be granted by any Member, such Member shall be liable to the Censure of the House.)

Ordered, That this be declared to be a standing Order of the House.

Ordered, That these Orders against written Protections be published, by setting them up at *Westminster-Hall* Gate, and at the Inns of Court and Inns of Chancery, and at the Exchequer; and that the Knights of the Shires do send Copies thereof to the Sheriffs of their respective Counties, and the Burgesses to their respective Boroughs.

This Order revived 30 *April*, 1679—23 *January*, 1698—31 *March*, 1690—18 *November*, 1693—30 *November*, 1695, and 29 *March*, 1712.

Jovis, 16 *Julii*, 1663.

Upon Information, that the Wife of Mr. *Broom Whorwood*, a Member of this House, having obtained a Decree in the High Court of Chancery against Mr. *Whorwood*, for Alimony in the late Time of Usurpation; and he having brought his Bill of Review to reverse the Decree, his Wife claims Privilege of Parliament against her Husband, as the Wife of a Member of the House of Commons, and refuseth to answer.

Resolved, &c. That no Wife, or Servant of any Member of this House, ought to have Privilege of Parliament allowed, in any Case, against the Husband or Master of such Servant.

Sabbati, 28 Martii, 1663.

Resolved, &c. That if any menial Servant be arrested and detained, contrary to Privilege, he shall, upon Complaint thereof made, be discharged by Order from the Speaker.

Jovis, 20 December, 1666.

Resolved, &c. That it be referred to Mr. Speaker to examine the Matter, and if he find, that the said *William Jackson* was suited and arrested, contrary to the Privilege of this House, to give Order for his Discharge, and for Stay of all Proceedings in the Suit.

Ordered, That in all Cases of the like Nature, where Servants of Members are alledged to be arrested, in Breach of Privilege, it be referred to Mr. Speaker; and if he find it so, to give Order for their Discharge, and for Stay of the Suit.

Martis, 16 November, 1675.

The House being informed that Sir *Edmund Jennings*, a Member of this House, is made High Sheriff of the County of *York*, and a Debate arising thereupon,

Resolved, &c. That it is a Breach of the Privilege of this House, for any Member thereof to be made a Sheriff during the Continuance of the Parliament, and that a Committee be named, to consider of a proper way of superseding the Commission.

Jovis, 2 Maii, 1678.

The House being informed, that Mr. *John Gardiner*, Solicitor in the Cause concerning *Lindsey Level*, was this Day arrested as he was coming to attend on the House,

Ordered,

Ordered, That the Privilege of the House be allowed to the said Mr. *John Gardiner*, and that he be discharged from his Arrest.

Martis, 7 January, 1689.

The House being informed, that Sir *Jonathan Jennings* was lately made High Sheriff of *Yorkshire*, a Debate arose thereupon,

Resolved, *Nemine Contradicente*, That the nominating any Member of this House to the King, to be made a High Sheriff, is a Breach of the Privilege of this House.

Lunæ, 2 November, 1691.

Resolved, That the Privilege of this House shall not be allowed to any Members thereof, in Cases wherein they are only Trustees, a Copy of the Bill or Declaration being first left with such Trustee, and that the same be a standing Order of this House.

A Report how the Privilege of the House may be regulated.

Veneris, 23 December, 1692.

Mr. *John How* (according to the Order of the Day) reported from the Committee appointed to consider how the Privilege of this House, in relation to Suits at Law and Equity, may be regulated and limited, and to report their Opinions therein to the House, that they had considered of the Matter to them referred, and had agreed upon several Resolutions, which they had directed him to report to the House, and which he read in his Place, and afterwards delivered in at the Clerk's Table, where the same were read, and are as follows, *viz.*

Resolved, That it is the Opinion of this Committee, that every Member of this House enjoy the Privilege of his Person against Arrests and Imprisonments, in such manner as has been heretofore used and accustomed.

Resolved, That it is the Opinion of this Committee, that no Member, during the Continuance of this Parliament,

liament, have any Privilege (except personal) against a Commoner, in any Suit or Proceeding in Courts of Law or Equity, for any longer Time than the House shall be actually sitting for the Dispatch of Business in Parliament.

Made a standing Order 17 April, 1699.

Resolved, That it is the Opinion of this Committee, that a Commoner has at all Times Liberty to file an original Bill of *Middlesex Latitat**, or *Quo Minus*, or make an Entry to save a Right, in order to prevent a Bar by the Statute of Limitation against any Member of this House, notwithstanding any Privilege whatsoever.

Resolved, That it is the Opinion of this Committee, that if any Member shall, upon Notice in Writing, (signed by the Plaintiff, his or her Attorney, when and where to appear) refuse to give an Appearance to any Action whatsoever brought against him by a Commoner, at any Time, (except when the House shall be actually sitting, as aforesaid) the Plaintiff in such Action shall have Liberty to complain thereof, by Petition in the next Session of Parliament.

Resolved, That it is the Opinion of this Committee, that a Commoner has at all Times Liberty to exhibit any Bill in Equity against any Member of this House, to examine Witnesses thereupon, in order only to preserve their Testimony, notwithstanding any Privilege whatsoever.

Resolved, That it is the Opinion of this Committee, that no Servant of any Member shall at any Time have any Privilege in any Suit or Proceeding, in Law or Equity, brought against him, except only as to the arresting and imprisoning his Person, during the actual Sitting of Parliament, for the Dispatch of Business, as aforesaid.

Resolved, That it is the Opinion of this Committee, that the Meeting of the House at any Time, in order only to an Adjournment or Prorogation, shall not be understood

understood or interpreted to give any other than personal Privilege to any Member against a Commoner.

Resolved, That this House will upon *Friday* Morning next take the said Report into Consideration.

Note, this Report was never considered of, or agreed to by the House.

Jovis, 14 February, 1694.

Sir *Richard Onslow* reported the same Resolutions, but nothing was done therein.

Jovis, 31 January, 1694.

Resolved and Declared, That all written Protections given by any Member of this House are void, and against the standing Order of the House.

Resolved, That no Person shall be taken into Custody, upon Complaint of any Breach of Privilege of this House, before the Matter be first examined.

Resolved and Declared, That the said Order is not to extend to any Breach of Privilege upon the Person of a Member.

Revived 30 November, 1695.

Lunæ, 30 November, 1696.

Resolved, Nemine Contradicente, That no Member of this House, during the Continuance of this Parliament, has any Privilege (except for his Person only) against any Commoner, in any Suit or Proceedings in Courts of Law or Equity, for any longer Time than the House shall be actually sitting for Dispatch of Business in Parliament.

To be communicated to the Lords at a Conference.

Revived 7 January, 1697—24 November, 1699.
—18 January, 1708—Made a standing Order 17 April, 1699—and 13 February, 1700.

Declared and Resolved, That no Member of this House hath any Privilege against Payment of any Aids, Supplies, or Taxes granted to his Majesty, or any Parish Duties.

Mercurii,

Mercurii, 14 April, 1697.

Resolved, That no Member of this House hath any Privilege, in Case of Breach of the Peace, or forcible Entries, or forcible Detainers.

Lunæ, 12 December, 1698.

Resolved, That no Person be taken into Custody of the Serjeant at Arms, upon any Complaint of Breach of Privileges, until the Matter of such Complaint, have been examined by the Committee of Privileges, and reported to the House,

Revived 16 November, 1699.

Resolved, That no Member have Privilege of Parliament in any Case, wherein he is only a Trustee.

Revived 16 November, 1699.

Declared a Standing Order, 24 November, 1704.

Lunæ, 27 November, 1699.

Resolved, That no Member of this House, acting as a public Officer, hath any Privilege of Parliament, touching any Matter done in Execution of his Office.

Sabbati, 31 January, 1718.

The Standing Order of the House of the 23 January, 1 William and Mary, relating to Protections and written Certificates given by Members of this House read.

And the House being moved that the said Order may be amended, and made more effectual.

Ordered, Nemine Contradicente, That all Protections and written Certificates of the Members of this House, be declared void in Law, and be forthwith withdrawn and called in, and that none be granted for the future ; and if any shall be granted by any Member, such Member shall make Satisfaction to the Party injured, and shall be liable to the Censure of the House.

Ordered,

Ordered, That the said Order be declared to be a Standing Order of the House.

Ordered, That this Order be published, by setting up the same in the Lobby; at the House Door; at *Westminster-ball-gate*; and at the several Courts in *Westminster-ball*; at the Inns of Courts, and Inns of *Chancery*; and at the *Royal Exchange*, and at the Two Compters in *London*: And that the Knights and Commissioners of the Shires, do send Copies thereof to the Sheriffs of their respective Counties and Shires; and the Citizens to their respective Cities; and the Burgeses and Commissioners of Burghs to their respective Boroughs.

Veneris, 16 November, 1722.

Resolved, *Nemine Contradicente*, That no Co-partner in any Trade or Undertaking, is entitled to the Privilege of this House in respect of any Matter relating to such Co-partnership.

Jovis, 20 Martii, 1739.

The Standing Order of the House made the 31st Day of *January*, 1718, That all Protections and written Certificates of the Members of this House, be declared void in Law, and be forthwith withdrawn and called in, and that none be granted for the future; and that if any shall be granted by any Member, such Member shall make Satisfaction to the Party injured, shall be liable to the Censure of this House; and also the Order of the House made the same Day, for publishing the said Standing Order were read.

And the Journal of the House of the 18th of *February*, 1723, in Relation to an Order of this House, for re-printing and publishing the said Standing Order, was also read.

Ordered, *Nemine Contradicente*, That the Standing Order be re-printed and published, by setting up the same in the Lobby; at the House-door; at *Westminster-ball-gate*; and at the several Courts in *Westminster-ball*; and at the Inns of Court, and Inns of *Chancery*; and

and at the *Royal-Exchange*, and at the two Compters in *London*; and on the Walls within the Sessions-House at *Edinburgh*; and that a Copy of the said Order be sent to the Clerk of the Peace for every County, City, Riding, Liberty, Division, and Place within that Part of *Great-Britain* called *England*; and to the principal Clerks of the Session in *Edinburgh*, with Directions to them respectively, forthwith to deliver a Copy thereof to the Sheriffs and Stewards of their respective Counties, Shires, Stewardries, Cities, Liberties and Places: And so yearly to every New Sheriff or Steward, within one Week after he shall have been sworn into his Office; and all Sheriffs and Stewards of the several Counties, Shires, Stewardries, Cities and Places within this Kingdom; and the Secondaries of the Compters in *London*, are hereby prohibited to enter in their Books, any Protection or written Certificate, signed by any Member of the House of Common; but upon such Protection or written Certificate being to them forthwith to return the same to the Clerk of this House.

Ordered, That the Clerk of this House, do forthwith acquaint the House with such Protections or written Certificates, as shall be so returned to him, if the Parliament be then sitting; if the Parliament be not sitting within three Days after their next Meeting.

Ordered, That the said Order be Standing Orders of this House.

Jovis, 29 January, 1740.

Resolved, That the bringing an Action at Law against *John Crisp*, for what he did in the Execution of his Duty, as a Constable attending the Service of this House, by endeavouring to prevent the Disorders of Chairmen, who were crowding upon the Stairs leading to the House to the Annoyance of the Members thereof, is a Breach of the Privilege of this House.

Veneris,

Veneris, 9 Aprilis, 1742.

A Complaint being made to the House, that Mr. *Gilbert Douglas*, a Sollicitor for several Bills depending in this House, was upon *Monday* last arrested, as he was attending this House.

And the Journal of the House of the 2^d Day of *May, 1678*; (in Relation to the Allowance of the Privilege of this House to Mr. *John Gardiner*, Sollicitor in the Cause concerning *Lindsey Level*, who was coming to attend on the House) being read,

And a Witness was called in and examined, in Order to prove that the said Mr. *Gilbert Douglas* was so arrested.

And the House being informed by several of their Members, that he did attend the House, as Sollicitor to several Bills then depending,

Ordered, That the Privilege of this House be allowed to the said Mr. *Gilbert Douglas*, and that he be discharged from his Arrests.

ORDERS touching Motions for Leave into the Country.

29 November, 1606.

A Special Order moved and made, that no Lawyer of the House depart the Town without Leave of the House.

12 March, 1606.

Agreed for Order, That no Man should depart without paying the ordinary Fee of 6 s. 8 d. to the Clerk.

13 February, 1620. 18 Jac.

Ordered, That no Member of this House shall go out of Town, without open Motion and Licence in the

the House after nine o'Clock.—After ten o'Clock, 17 May, 1675.—18 November, 1675.—22 February, 1676.

4 August, 1623. 4 Car.

Resolved, That all the Members of the House shall attend and not depart without Licence obtained from the House, upon Pain of the Censure thereof.

Revived 9 February, 1627. 4 Car.

13 February, 1625.

Ordered, That no Lawyer, or other Member of this House, shall depart without Licence first obtained in the House, by Motion made after nine o'Clock.

Revived 5 April, 1626.—9 February, 1627.—10 April, 1627. And 10 March, 1640.—Ordered to be between nine and eleven o'Clock, 27 August, 1641. Afterwards ten and eleven o'Clock, 24 April, 1648. Afterwards between eleven and twelve o'Clock, 10 May, 1678.—29 April, 1690.—Afterwards between eleven and one o'Clock, 15 December, 1691.—15 December, 1692.—4 December, 1694.—12 January and 15 February, 1694.—11 January and 15 February, 1695.—2, 6, 16 and 25 November, 1696.—Between one and two o'Clock, 5 January, 1698.—31 May, 1701.—1 May, 1712.—30 May, 1713.

Jovis, 20 February, 1667.!

Ordered, That no Motion for Leave for any Person to go into the Country, be moved for till after ten o'Clock.

Revived 8 April, 1679.—Between ten and twelve o'Clock, 10 and 25 April, 1679, (with this Addition) be sent for in Custody of the Serjeant at Arms attending this House, and shall not be admitted to their Places in the House, till they have paid the Serjeant his Fees and Charges. The same 15 December, 1692.—31 January, 1693.—20 December, 1694.—22 January, 1694.—29 March, 1711.—23 February, 1722.—21 January, 1724.

Sabbati,

Sabbati, 16 March, 1688.

Ordered, That for the future, no Member of this House have Leave to go into the Country, without limittin^g a Time when he is to return.

Lunæ, 26 February, 1699.

Ordered, That no Motion be made, for any Member to have Leave to go out of Town; but when the Member for whom Leave shall be asked, be in the House, except in Case of Sickness, to be affirmed by the Member that shall make such Motion.

Order for the Speaker to write circular Letters to summons the Members; the Form of them 31 May, 1701.

Lunæ, 11 February, 1705.

Ordered, That no Motion be admitted for any Member to go out of Town, and that no Member do presume to go out of Town, upon Pain of being sent for in Custody at the Serjeant at Arms attending this House.

Petitioning the King to call Parliaments.

Mercurii, 27 October, 1680.

Resolved Nemine Contradicente,

THAT it is, and ever hath been the undoubted Right of the Subjects of *England*, to petition the King for the calling and sitting of Parliaments, and redressing of Grievances.

Resolved, Nemine Contradicente, That to traduce such Petitioning, as a Violation of Duty, and to represent it to his Majesty, as Seditious and Tumultuous, is to betray the Liberty of the Subject, and contributes to the Designs of subverting the ancient Legal Constitution

stitution of this Kingdom, and introducing Arbitrary Power.

ORDERS *for fining Defaulters on the Call of Members absent without Leave, and Deserters, &c.*

Lunæ, 25 October, 1641.

Ordered,

THAT the House be called on *Friday* come seven-night, and that such Members as are then absent, shall undergo such Fine and further Displeasure of the House, as shall be imposed upon them for their Neglect.

Lunæ, 28 March, 1664.

Resolved, &c. That the Penalty of 10 *l.* for a Fine be imposed for every Knight of a Shire; and 5 *l.* on every Citizen, Burgess, or Baron of Cinque Port, who shall make Default in attending, when the House is next called over, whose Excuse shall not be allowed of by the House.

To be sent for in Custody of the Serjeant, 6 November, 1666.

Sabbati, 15 December, 1666.

Ordered, That such that are sent for in Custody, be not admitted to sit till they have paid their Fees.

Lunæ, 17 December, 1666.

Ordered, the Clerk take Care the Order for calling the House in *January* next, be printed in the next *Thursday's* Gazette.

Martis, 18 December, 1666.

Ordered, That such Members of the House as do depart into the Country without Leave, be sent for in Custody of the Serjeant at Arms. Re-

Revived 11 May, 1689.—28 November, 1689.
—2 December, 1690.

Jovis, 13 February, 1667.

Resolved, &c. That every Defaulter in Attendance, whose Excuse shall not be allowed this Day, be fined the Sum of 40 *l.* and sent for in Custody, and committed to the *Tower*, till the Fine be paid.

Resolved, &c. That every Member, as shall desert the Service of the House for the Space of three Days together (not having had Leave granted him by the House, nor offering such sufficient Excuse to the House, as shall be allowed) shall have the like Fine of 40 *l.* imposed on them; and shall be sent for in Custody, and committed to the *Tower*; and that the Fines be paid into the Hands of the Serjeant at Arms, to be disposed of as the House shall direct.

To pay a Fine of 10 *l.* 6 April, 1668.

Mercurii, 20, December, 1670.

Resolved, &c. That the House be called over on the 9th Day of *January* next, and that every Member who shall then make Default of Attendance, whose Excuse shall not be allowed by the House, shall be doubly assessed in the Bill of Subsidies; this Order to be sent to the several Sheriffs.

23 Nov. 1691.

Ordered, That all Members sent for in Custody of the Serjeant at Arms attending this House, do forbear coming into the House, without the Leave of the House first had.

Mercurii, 25 January, 1709.

Resolved, That such Members of this House, who do absent themselves without the Leave of the House, are to be reputed Deserters of their Trust, and Neglecters of that Duty they owe to this House, and their Country.

Ordered. *Members*

*Members of the Long-Robe, not to plead at the
Lords Bar, in any Cause without Leave.*

*Members not to attend the Lords on Summons,
without Leave.*

Martis, 6 November, 1666.

Ordered,

THAT such Members of this House, as are of the Long-Robe, shall not be of Council on either Side, in any Bill, depending in the Lords House, before such Bill shall come down from the Lords House to this House.

Mercurii, 10 November, 1669.

Resolved, That no Member of this House, of the Long-Robe, do during this Session of Parliament, plead as Council before the House of Lords, in any Cause, without Leave asked and granted by this House, after ten o'Clock.

Jovis, 3 Junii, 1675.

Ordered, That no Member of this House, do attend the Lords House upon any Summons from the Lords, without Leave of the House.

Jovis, 7 December, 1693. 5 Gul.

Ordered, That no Member of this House do presume to plead at the Bar of the House of Lords, without Leave first obtained from this House, and to be moved for between the Hours of eleven and one o'Clock.

Revived 20 December, 1695.

Jovis, 11 Aprilis, 1695.

A Message from the Lords, that Sir Robert Clayton, and Mr. Maurice, may have leave to declare their Knowledge, in Relation to a Grant of Lands from the City of London. Leave given, and *Ordered,*

Ordered, That Sir Robert Clayton, and Mr. Maurice, do insist to be examined at a Committee of Lords, and not at the Bar.

Lunæ, 27 November, 1704. 3 *Annæ*.

Resolved, That when Leave is asked for any Member of this House to attend at the Bar of the House of Lords, the Cause and Parties be expressed; and whether upon a Writ of Error, or an Appeal.

Resolved, That this House will not give Leave to any of their Members to plead at the Bar of the Lords House, in Cases of Appeals from Courts of Equity.

Members disobeying the House censured.

Jovis, 12 November, 1640.

MR. Watking, a Member of the House, disobeying the House, being several Times commanded to withdraw, was therefore called to the Bar, and upon his Knees submitted himself to the Censure of the House.

Members gone to the Upper House sent for.

22 March, 1620. 18 *Jac.* *Post Meridiem.*

Ordered,

THAT the Serjeant at Arms shall go to the Upper House, and charge all the Members of this House, that are there, presently to repair into this House, to attend the Speaker into the Upper House, upon Penalty of the Censure of this House.

Members not to visit Foreign Ministers.

Jovis, 1 February, 1643.

Resolved, &c.

THAT this House doth declare, that it is a constant and antient Rule, and Order of this House, that no Member of this House ought to receive, or give any Visit to any foreign Agent or Ambassador, or any other Person that avows himself to be a publick Agent or Ambassador, without the Leave and Consent of the House.

Who may not be Members of this House.

Veneris, 13 October, 1553.

IT is ordered by the Committee, that *Alexander Nowell*, being a Prebendary in *Westminster*, and thereby having Voice in the Convocation-house, may not be a Member, and so agreed by the House.

8 February, 1620. 18 Jac.

Resolved upon the Question, That the Order the last Meeting in Parliament, concerning the not serving of the Attorney-General in this House, shall stand a new Writ.

Also a new Writ for *Morpeth*, in the room of a Minister returned.

Luna, 9 November, 1640.

Ordered upon the Question, That all Projectors and unlawful Monopolists whatsoever, or that have any Share, or lately had any Share in any Monopolies, or that do receive any Benefit from any Monopoly or Project,

Project, or that have procured any Warrant or Command for the Restraint, or molesting of any that have refused to conform themselves to any such Proclamations or Project, are disabled, by Order of this House, to sit here in this House; and if any Man knows any Monopolist, that he shall nominate him.

Lunæ, 10 November, 1707.

This House being moved, that several Clauses in the Act of the fifth and sixth Years of her Majesty's Reign, intituled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession of the Crown of England in the Protestant Line, relating to the disabling several Officers to sit in Parliament*, might be read, and the same was read accordingly.

Resolved, That every Person, who, by an Act of the first Session of the last Parliament, intituled, *An Act for the better Security of her Majesty's Person and Government, and of the Succession of the Crown of England in the Protestant Line, is disabled, from and after the Dissolution, or Determination of the said Parliament, to sit or vote as a Member of the House of Commons in any Parliament to be hereafter holden*, is, by Virtue of the said Act incapable of sitting or voting as a Member of the House of Commons in this present Parliament.

Martis, 7 December, 1708.

Resolved, &c. That *Anthony Hammond, Esq;* being a Commissioner of the Navy, and employed in the Out-Ports, is thereby incapable of being elected as a Member of this House.

*Members not to be removed for Age, Sicknes, or
Absence beyond Sea.*

Veneris, 11 November, 1558.

W Hereas Suit is made, that some Burgeses, being sick, might be removed, and Writs for others in their Places, this House doth resolve, that they shall not be removed, notwithstanding their Sicknes.

Mercurii, 18 August, 1641.

A Motion was made concerning the sending of a new Writ for the electing of a Burgess to serve instead of Mr. Crowcker, who is very infirm, by reason of great Age, but it would not be granted by the House.

Members not to keep Popish Recusant Servants.

25 February, 1623. 21 Jac. I.

Ordered,

THAT if any Member of this House have any Servant that is a Popish Recusant, or refuseth to go to Church and hear divine Service, he shall presently discharge him; this to be under the Penalty of Sequestration from the House.

Resolved, That no Member of this House be allowed to keep a Recusant Servant, but upon publick Notice, and special Allowance of the House.

ORDERS for Members to receive the Communion, and testify their taking the Oaths.

9 February, 1620. 18 Jac.

Ordered,

THAT every Member of this House shall testify in Writing, that he hath duly taken the Oaths; and, if any Exception be against it, then he to take it again.

21 January, 1627. 4 Car.

Ordered, That all the Members of the House newly returned, or to be returned this Session, shall receive the Communion before some of the Parties appointed last Session; those which are already returned, and have sate in the House, to receive it on *Monday* next; and those which are, or shall be returned, and have not sate in the House, not to come into the House till they have received the Communion.

The same Order 25 April, 1640.

Lunæ, 9 November, 1640.

Resolved upon the Question, That the next Lord's Day, called *Sunday*, after the first, shall be appointed for receiving the Communion by all the Members of this House at *St. Margaret's, Westminster*.

The same Order, 26 November, 1640.

Sabbati, 2 Junii, 1660.

Resolved, That no Member of this House do, after this Day, sit in the House, before he hath taken the Oaths of Allegiance and Supremacy.

Lunæ, 13 Maii, 1661.

Resolved upon the Question, That the Sacrament of the Lord's Supper shall, upon *Sunday* next come seven-night, being the 26th of this instant *May*, in the Fore-

noon, be administred at *St. Margaret's Church in Westminster*, according to the Form prescribed in the Liturgy of the Church of *England*; and that all the Members of this House shall then and there receive the said Sacrament, and that whosoever shall not then and there receive the said Sacrament, shall not after that Day come into the House, until he shall have received the said Sacrament, in the Presence of two or more of the Parties hereafter appointed to that Purpose, and the same to be certified, and the Certificate thereof allowed by the House.

And for the better Discovery who shall then receive the said Sacrament, and who not, it is further ordered, That Sir *Anthony Cope*, Sir *John Bramston*, Sir *Philip Warwick*, Sir *John Gooderick*, Sir *Allen Broderick*, and Sir *George Reeve*, shall take especial Notice of all such as shall then and there receive the said Sacrament; and that every Member of this House shall then bring with him a Note in Writing, containing his Name, and the Shire whereof he is a Knight, and the City whereof he is a Citizen, and the Borough whereof he is a Burgefs, and the Port whereof he is a Baron, which Note he shall in the same Church, when the same shall be demanded of him, deliver to the said Parties before particularly mentioned, some or one of them; and the said Persons, so appointed, are likewise to take particular Notice of every Member of this House, at such Time as he receive the said Sacrament.

The same Order, 9 November, 1666.

Merurii, 31 January, 1699.

Resolved, That for the future, no Person be recommended to preach before this House, who is under the Dignity of a Dean in the Church, or hath not taken his Degree of a Doctor of Divinity.

Veneris, 4 Junii, 1742.

The House was moved, that the Resolution of the House, of the 31st of January, 1699. That for the future

future no Person be recommended to Preach, &c. might be read, and the same being read accordingly,

Resolved, Nemine Contradicente, That for the future no Parson (except the Chaplain of this House) be recommended to preach before this House, who is under the Dignity of a Dean in the Church, or hath not taken his Degree of Doctor of Divinity.

Ordered, That the Chaplain to this House, do preach before this House, at St. Margaret's, Westminster, upon Friday the 11th of this Instant June, being the Anniversary of his Majesty's happy Accession to the Throne.

ORDER *on attending the Lords, as a Committee of the whole House.*

8 August, 1625. 1 Car.

SIR Robert Philips, moveth to send to the Lords, to know whether they intend a Committee of the whole House, or the whole House with the Speaker, because in the one Case to be uncovered, in the other Case not.

Resolved, That the Speaker and all to go as a House, and if the Lords keep bare, then to do the like; if they cover, then the Speaker, and the House to do the like.

Against holding South-Sea Stock for Members, declared Infamous and Corrupt.

Jovis, 12 January, 1720.

MR. Broderick moved from the Committee to enquire into the Proceedings of the South-Sea Directors; that such Persons as the Committee shall think

think proper to be examined, may be examined in the most solemn Manner.

Ordered, That such Persons, as the said Committee shall think proper to be examined, relating to the Matter of the said Enquiry, be examined in the most solemn Manner.

Jovis, 19 January, 1720.

Ordered, That the Committee be empowered to examine Sir Robert Chaplin, Sir Theodore Janssen, Francis Eyles, and Jacob Sawbridge, Esqrs; Members of this House, and Directors of the South-Sea Company, in the most solemn Manner,

Sabbati, 18 February, 1720.

Resolved, *Nemine Contradicente*, That the taking in, or holding of Stock by the South-Sea Company, for the Benefit of any Member of either House of Parliament, or Person concerned in the Administration (during the Time that the Company's Proposals, or the Bill thereto relating, were depending in Parliament) without any valuable Consideration paid, or sufficient Security given, for the Acceptance of, or Payment for such Stock; and the Company's paying or allowing such Person the Difference arising by the advanced Price of the Stock, were corrupt, infamous and dangerous Practices, highly reflecting on the Honour and Justice of Parliaments, and destructive to the Interest of his Majesty's Government.

ORDERS against Members taking Money for transacting Business, or accepting of Entertainments, or Places from the Crown, &c.

Lunæ, 1 December, 1645.

DECLARATION of the House about taking Money for transacting Business in the House.

Jovis,

Jovis, 30 December, 1680.

Resolved, Nemine Contradicente, That no Member of this House shall accept of any Office or Place of Profit from the Crown, without the Leave of this House, or any Promise of any such Office or Place of Profit during such Time as he shall continue a Member of this House.

Resolved, &c. That all Offenders herein shall be expelled the House.

Mercurii, 4 January, 1692.

Resolved, That no Member of this House do presume to accept of any Entertainment at any publick House, for the carrying of any Matter under the Consideration of the House, upon Pain of incurring the Censure of the House.

Lunæ, 18 March, 1694.

Resolved, That whosoever shall discover any Money, or other Gratuity, given to any Member of this House, for Matters transacted in this House, relating to the Orphans Bill, or the *East-India* Company, shall have the Indemnity of the House for the Discovery of such Gift.

Jovis, 2 Maii, 1695.

Resolved, That the Offer of any Money, or other Advantage to any Member of Parliament for promoting of any Matter whatsoever depending, or to be transacted in Parliament. is a high Crime and Misdemeanor, and tends to the Subversion of the *English* Constitution.

Concerning

Concerning the printing Members Names, reflecting and misrepresenting their Proceedings, and aspersing them villanous, also insulting, or menacing them a high Crime.

Veneris, 30 October, 1696.

Resolved, Nemine Contradicente,

THAT the printing the Names of the Members of this House, and reflecting on the Members of this House, for their Proceedings in Parliament, is a Breach of the Privilege of this House, and destructive of the Freedom and Liberties of Parliaments.

Sabbati, 22 April, 1699.

Resolved, That the publishing the Names of the Members of this House, and reflecting upon them, and misrepresenting their Proceedings in Parliament, is a Breach of the Privilege of this House, and destructive to the Freedom of Parliaments.

7 February, 1701.

Resolved, That the aspersing the last House of Commons, or any Member thereof, with receiving French Money, or being in the Interest of France, was a scandalous, villainous, and groundless Reflection, tending to Sedition, and to create a Misunderstanding between the King and his People.

Resolved, That Thomas Colepepper, Esq; is guilty of promoting the said scandalous, villainous, and groundless Reflection upon the said House of Commons, and that he be for his said Offence committed to Newgate.

Veneris, 2 May, 1704.

Resolved, That to asperse any Member of the House of Commons with being in the Interest of the pretended Prince of Wales, or the French Government, for,

For, or in respect of his Behaviour and Proceedings in the House of Commons, is villainous and seditious, destructive to the Liberties of Parliament, and the Freedom of Elections, and tends to create a Misunderstanding between her Majesty and her Subjects.

Jovis, 12 Aprilis, 1733.

Complaint being made to the House by several Members of this House, that a tumultuous Crowd of People were assembled together last Night, and several Days during this Session in the Court of Requests, and other Avenues to this House; and that themselves, and several other Members of this House, were last Night, in their Return from this House, menaced, insulted, and assaulted by a tumultuous Crowd of People in the Passages to this House,

Resolved and declared, Nemine Contradicente, That the assaulting, insulting, or menacing any Member of this House, in coming to, or going from the House, upon the Account of his Behaviour in Parliament, is an high Infringement of the Privilege of this House, a most outrageous and dangerous Violation of the Rights of Parliament, and an high Crime and Misdemeanor.

Resolved and declared, Nemine Contradicente, That the assembling and coming of any Number of Persons, in a riotous, tumultuous, and disorderly manner to this House, in order either to hinder or promote the passing of any Bill, or other Matter depending before the House, is an high Infringement of the Privilege of this House, and is detrimental to the Freedom and Constitution of Parliament, and an high Crime and Misdemeanor.

Ordered, That the Members of this House, who serve for the City of London, County of Middlesex, and City of Westminster, do signify the said Resolutions and Declarations to the Lord Mayor of London, Sheriffs of Middlesex, and High Bailiff of Westminster.

ORDERS

ORDERS for locking the Back-door, and keeping the Gallery and Speaker's Chamber free from Strangers.

Jovis, 5 Martii, 1662.

Ordered,

THAT the Back-door of the Speaker's Chamber be locked up every Morning at the sitting of the House, and the Key delivered to the Clerk, to be locked up by him; and that he do not presume to deliver the same to any Person whatsoever, without the Order of the House; and that the Serjeant at Arms attending this House do take Care to clear the Speaker's Chamber every Day before the Door is locked up.

Revived 29 January, 1673.

Veneris, 8 April, 1670. Post Meridiem.

Resolved, That the Back-door in the Speaker's Chamber be nailed up, and not opened during any Session of Parliament.

Lunæ, 7 April, 1679.

Ordered, That the Back-door belonging to the Speaker's Chamber be locked up, and that the Keys do lie upon the Table, whilst the House is sitting, and that the Window next adjoining to the said Door be shut up.

Martis, 5 February, 1688.

Ordered, That the Back-door leading into the Speaker's Chamber be from Time to Time kept locked up during the sitting of this House, and the Key to be kept lying upon the Table, and not to be delivered out without Leave of this House; and that the Serjeant at Arms do take care to see this Order executed.

Revived 2 April, and 10 November, 1690.

Lunæ,

Lunæ, 28 January, 1688.

Ordered, That the Serjeant at Arms do take care to keep the Speaker's Chamber free from Strangers ; and the Back-door being locked up, the Key be brought and laid upon the Table.

Martis, 29 January, 1688.

Ordered, That the Serjeant at Arms do keep the Gallery free from Strangers ; and that the Back-door be locked up, and the Key brought and laid upon the Table, which was done accordingly.

Jovis, 21 April, 1698.

Ordered, That the Serjeant do lock up the Back-door in the Speaker's Chamber every Morning at Ten o'Clock, and bring the Keys, and lay them upon the Table.

Revived 24 November, 1699.

Made a standing Order 24 November, 1702.

ORDERS for keeping the Bar of the House clear, and taking Strangers into Custody.

Veneris, 20 December, 1650.

Resolved,

THAT the Serjeant at Arms do not permit any Persons to come within this House in the Morning that the House sits, save only the Members of the House, the Minister that prays, and the Officers attending the House.

Veneris, 8 February, 1688.

Ordered, That the Serjeant at Arms do take care to keep the Bar of this House clear from being stopped up by the standing of the Members there, who ought
to

to sit in their Places, and attend the Service of the House.

Martis, 26 February, 1688.

Ordered, That the Serjeant at Arms attending this House do, from Time to Time, take into his Custody any Stranger or Strangers that he shall see, or be informed to be in the House, or Gallery, while the House, or any Committee of the whole House, is sitting.

Revived 21 November, 1689—2 April, 1690—31 October, 1705—16 March, 1719, is added, and that no Person so taken into Custody be discharged out of Custody, without the special Order of the House, (after this revived annually.)

Jovis, 15 November, 1705.

Ordered, That the Serjeant at Arms do take into Custody all such Strangers as do presume to come into the Body of the House, or Galleries, during the sitting of any Committee therein ; and that the Lobby and Stairs be kept clear of Footmen, made a standing Order of the House.

Jovis, 26 January, 1709.

Ordered, That no Member do presume to bring any Strangers into the House, or Gallery, whilst the House is sitting.

ORDERS

**ORDERS for keeping the Lobby and Stairs
free from Footmen, &c.**

Veneris, 28 January, 1641.

Ordered,

THAT if any Footman, or other Person whatsoever, shall offer any Affront, or Abuse to the Guards appointed to attend this House, that the Guards shall apprehend such Persons, and bring them to this House to receive condign Punishment; and it is likewise ordered, that no Footman that belongs to any Member of this House, or to any other, shall come up the Stairs of this House, or stand on the Stairs.

Sabbati, 13 October, 1666.

Ordered, That no Pages, Footmen, or Footboys, be suffered to be in any of the Lobbies, or on the Stairs leading to the House, during the Sitting of the House; and that the Serjeant at Arms do take care to put this Order in Execution.

The same Order, and the Footmen to attend in the Hall, 4 June, 1685.

Revived 5 March, 1699.

Sabbati, 12 November, 1670.

Ordered, That no Lackey or Footman belonging to any Member of this House, or other Gentlemen's Servants, do hereafter presume to stand upon any Part of the Stairs leading up to this House; and in case any of them shall do contrary hereunto, such Lackey or Footman is to be sent to the House of Correction, and the Serjeant at Arms attending this House is to see that this Order be set up at the further Door of the Lobby.

The Serjeant ordered to take them into Custody, and Knight-Marshal's Officer to assist the Serjeant, 7

February, 1672—16 April, 1675—22 December, 8 and 22 February, 1676, and 31 July, 1721.

4 June, 1685.

Ordered, That the several Members of this House be desired to disarm their Footmen and Lacquies attending this House.

Martis, 22 January, 1688.

Ordered, That the Serjeant at Arms attending this House do take especial Care to keep the Stairs and Passage to the House free from Interruption by Footmen and Lacquies; and that no Footman or Lacquey do presume to stand upon the Stairs, whereof they are required to take especial Notice, and demean themselves accordingly; and that this Order be affixed on the Doors of Westminster-Hall, and the Posts and other convenient Places adjacent to this House.

Revived 20 December, 1695.

On Complaint to be taken into Custody, 8 February, 1695.

Sabbati, 13 January, 1693.

Ordered, That the Serjeant at Arms do take care to keep the Stairs clear from Footmen, and that he do take into his Custody such of them as shall behave themselves rudely; and that the Constables of Westminster do take Care, that the Passages in and about Westminster-Hall be kept clear from Chairmen and Coachmen, so that they may not stop or annoy the Members of this House, and this Order to be affixed upon Westminster-Hall Gate, and the Lobby of this House.

Made a standing Order 18 January, 1699.

To be taken into Custody, and not discharged but by special Order of the House, 16 March, 1720.

Sabbati, 27 January, 1699.

Ordered, That the Serjeant at Arms, and his Messengers, do take all possible Care to keep the Lobby, Passages,

Passages, and Stairs of the House clear of all loose, idle, and disorderly Persons.

Mercurii, 10 April, 1700.

Ordered, That the Lobby be cleared of all Strangers, and that the Back-door of the Speaker's Chamber be locked up, and the Key brought and laid upon the Table; and that the Serjeant do stand at the Door of the House, and suffer no Members to go forth.

Revived 9 June, 1715.

14 January, 1729.

Ordered, That the Serjeant at Arms attending this House do take Care there be no Gaming, or other Disorders, in the Room now fitted up for the Footmen, attending the Members of the House to wait in.

Revived every Session.

ORDER for bringing in Candles.

Jovis, 6 February, 1717.

Ordered and Declared,

THAT when the House shall be sitting, and Day-light shall be shut in, that the Serjeant at Arms attending this House do take Care that Candles be brought in, without any particular Order for that Purpose.

Resolved, That the said Order be a standing Order of the House.

Collections for the Officers of the House, recommending them to the King for Salaries, and Fees to be taken by them.

14 August, 1625. 1 Car.

Resolved,

THAT every Knight of the Shire is to pay ten Shillings, and every Burgess five Shillings, according to the Note delivered in by the Committee for London, &c. and whosoever is absent to pay double—
The Sum collected 112*l.* 10*s.* 4*d.*

Jovis, 24 June, 1641. Post Meridiem.

Resolved upon the Question, That every Knight shall pay twenty Shillings, and every Burgess ten Shillings, to be disposed of, by Order of this House, among such Officers as they shall think fit, for a Reward for their several great Pains.

Resolved, &c. That these Monies shall be paid in by Monday next.

Resolved, &c. That those that have not paid in their Monies by Monday next shall pay double.

Moved, That the House might be kept sweet and clean; and the Serjeant was required to take Care, that it might be so kept accordingly.

Veneris, 16 May, 1662. Post Meridiem.

Ordered, That every Knight of the Shire, now present in Town, do give amongst the Servants of the House of Commons ten Shillings; and every Citizen, Burgess, or Baron, now in Town, five Shillings; and every Knight, Citizen, Burgess, or Baron, that is absent, to give double the said Sums of ten Shillings and five Shillings respectively amongst the said Servants; and that if any of the Members that are present do not pay in their Monies before Tuesday Morning,
such

such as shall fail shall be taken as absent, and pay double the Sums before-mentioned respectively; and the said Monies is to be paid into Mr. *Sharp*, Deputy to the Clerk of this House, and is to be distributed amongst the Servants by Mr. Speaker.

Revived 12 May, 1664—2 January, 1666—
24 April, 1688—4 March, 1670—24 March,
1672—31 May, 1678—31 October, 1689—
15 December, 1690; and 1 January, 1695.

Lunæ, 6 April, 1700.

The Clerk of the House, Serjeant at Arms, Clerk Assistant, and other Clerks and Officers of this House, having served with great Diligence and Fidelity, and being but slenderly provided for,

Resolved, That the said Clerk of the House, Serjeant at Arms, Clerk Assistant, and other Clerks and Officers be humbly recommended to his Majesty, that they may have competent Salaries, answerable to their Trust and Services, settled upon them.

Martis, 22 February, 1731.

Resolved, That all Fees, to be demanded or taken by any Officer or Servant of the House, be fixed according to the Rate of the List of Fees entered in the Journal of the Year 1700; and that Tables of the same, being first perused by Mr. Speaker, be printed and hung up in the Speaker's Chamber, in the Lobby, and in the Clerk's Office; and that the Clerk take Care to renew such printed Tables from Time to Time, as Occasion shall require, and to preserve them always fair and legible.

Resolved and Declared, Nemine Contradicente, That if any Officer or Servant of this House shall presume to demand, or take any greater Fee than what shall be contained in the said printed Tables, this House will proceed against such Officer or Servant with the utmost Severity.

Ordered, That the said Resolutions be standing Orders of the House.

Ordered, That the said Resolutions be printed with the said Tables.

ORDERS *about Post-Letters and Franking.*

Mercurii, 14 August, 1689.

Resolved,

THAT the breaking open Letters directed to, or sent from any Member of this House, is a Breach of the Privilege of this House.

Mercurii, 1 February, 1692.

Ordered, That no Letter from any Member of this House go frank by the Post, but what shall be signed by the proper Hand of such Member.

Jovis, 7 March, 1694.

Ordered, That the Post-Master attending this House do not, at any Time, deliver any Letters to any Members, during the sitting of the House.

Revived 20 December, 1695.

Veneris, 10 February, 1698.

Ordered, That no Post Letters directed to any Members of the House be delivered out, until after the rising of the House.

Revived 18 February, 1700—24 October, 1702—9 November, 1702. Declared a standing Order 24 October, 1704—21 December, 1708.

Veneris, 27 May, 1698.

Resolved, That it is the Opinion of this Committee, that, as a proper Means to prevent the intercepting of Letters belonging to the Members of the House for the future, the Person appointed to bring them from the Post-Office shall constantly attend two Hours at the

the least at the Place appointed for the Delivery of the said Letters; and take Care, during his Stay there, to deliver the same to the several Members to whom they shall be directed, and to no other.

Resolved, That it is the Opinion of this Committee, that the said Officer, upon his going away, shall give such Letters as shall remain undelivered to one of the Servants belonging to the House, who shall take Care to deliver the said Letters to the several Members to whom they are directed, or their known Servants, or unto such Person who shall produce a Note under the Hands of the Members, who shall send for the same.

Resolved, That it is the Opinion of this Committee, that a more convenient Place should be appointed, from whence the Letters may be delivered, or that the Place from whence they are at present delivered be enlarged.

The said Resolutions, being severally read a second Time, were, upon the Question severally put thereupon, agreed unto by the House.

28 March, 1727.

The two first Orders revived, and sent to the Commissioners for executing the Office of Post-Master-General.

Veneris, 9 September, 1715. 1 Geo.

A Complaint being made to the House of great Abuses in franking Post Letters, tending to the lessening of his Majesty's Revenues, and to the dispersing of seditious and scandalous Libels.

Ordered, Nemine Contradicente, That no Member of this House do presume to frank any Letter, unless the whole Superscription of such Letter be of his own Hand-writing.

A Motion being made, and the Question being put, that no Letter directed to any Member of this House be carried free of the Duty of Postage, unless

such Member then actually resides at the Place to which such Letter is directed.

It was resolved in the Affirmative.

Ordered, That no Member of this House do presume to frank any publick News Paper to be sent into the Country, but such as are printed.

Mercurii, 22 May, 1728.

Ordered, That to prevent the intercepting of Letters directed to the Members of this House, the Person appointed to bring Letters from the General-Post-Office to this House, or some other Person to be appointed by the Commissioners for executing the Office of Post-Master-General, do, for the future, every Day during the Session of Parliament, (*Sundays* excepted) constantly attend from ten o'Clock in the Morning till one in the Afternoon; and also for two Hours, at least, immediately after the rising of the House; and also on every *Wednesday, Friday, and Monday*, from five of the Clock in the Afternoon till seven, at the Place appointed for the Delivery of the said Letters; and take Care, during his Stay there, to deliver the same to the several Members to whom they shall be directed, or to their known Servants, or others bringing Notes under the Hands of the Members sending for the same.

Ordered, That the said Officer do, upon his going away, lock up such Letters as shall remain undelivered; and that no Letters be delivered, but within the Hours aforesaid.

Ordered, That the said Order be sent to the Commissioners for executing the Office of Post-Master-General.

Revived, with Additions, 14 January, 1729.

Mercurii, 16 Aprilis, 1735.

The House (according to Order) proceeded to take into Consideration the Report from the Committee, to whom the Copy of his Majesty's Warrant, whereby

whereby Letters are permitted to pass free from the Duty payable upon Post Letters, was referred.

And the said Report was read, and the Resolutions of the Committee are as follows, viz.

Resolved, First, That it is the Opinion of this Committee, that the Privilege of franking Letters by the Knights, Citizens, and Burgeses chosen to represent the Commons in Parliament, began with the erecting a Post-Office within this Kingdom by Act of Parliament.

Resolved, Secondly, That it is the Opinion of this Committee, that all Letters (not exceeding two Ounces) signed by the proper Hand of, or directed to any Member of this House, during the sitting of every Session of Parliament, and forty Days before, and forty Days after every Summons or Prorogation, ought to be carried, and delivered freely and safely, from all Parts of *Great Britain and Ireland*, without Charge of Postage.

Resolved, Thirdly, That it is the Opinion of this Committee, that it is an high Infringement of the Privilege of the Knights, Citizens, and Burgeses, chosen to represent the Commons of *Great Britain* in Parliament, for any Post-master, his Deputy or Agents, in *Great Britain or Ireland*, to detain or delay, open or look into, by any Means whatsoever, any Letter directed to, or signed by the proper Hand of any Member, without an express Warrant in writing, under the Hand of one of the principal Secretaries of State for such detaining, delaying, opening, or looking into.

Resolved, Fourthly, That it is the Opinion of this Committee, that all Letters directed to any Members of this House, at any Place within the Bills of Mortality, be carried by the proper Officers of the Post-Office to the House or Lodgings of such Member, or to the Lobby of the House of Commons.

Resolved, Fifthly, That it is the Opinion of this Committee, that it is a notorious Breach of the Privilege of the House of Commons, for any Person to counterfeit the Hand, or put the Name of any Member
of

of the House of Commons upon any Letter, in order to prevent its being charged with the Duty of Postage.

Resolved, Sixthly, That it is the Opinion of this Committee, that such Person, as shall presume to do the same, ought to be proceeded against with the utmost Severity.

The first and second Resolutions, upon the Question, agreed to by the House.

The Debate of the third adjourned.

Veneris, 25 Aprilis, 1735.

The Debate of the third Resolution resumed, and the said Resolution being read a second Time, and amended, was agreed to by the House as follows, viz.

Resolved, That it is an high Infringement of the Privilege of the Knights, Citizens, and Burgeses, chosen to represent the Commons of *Great Britain* in Parliament, for any Post-master, his Deputy or Agents, in *Great Britain* or *Ireland*, to open or look into, by any Means whatsoever, any Letter directed to, or signed by the proper Hand of any Member, without an expresse Warrant in writing, under the Hand of one of the principal Secretaries of State, for every such opening or looking into, or to detain or delay any Letter directed to, or signed with the Name of any Member, unless there shall be just Reason to suspect some Counterfeit of it, without an expresse Warrant of a principal Secretary of State, as aforesaid, for every such detaining or delaying.

The rest of the Resolutions of the said Committee, being severally read a second Time, were, upon the Question severally put thereupon, agreed to by the House.

Mercurii, 26 January, 1742.

Complaint being made to the House, that the Hand-writing of a Member of this House had been counterfeited

feited upon several Letters, in order to prevent their being charged with the Duty of Postage,

Resolved, Nemine Contradicente, That an humble Address be presented to his Majesty, that he will be graciously pleased to give Directions to his Attorney-General, to prosecute at Law such Persons as counterfeit, or otherwise fraudulently make use of the Hand-writing of Members of this House upon Letters, in order to prevent such Letters being charged with the Duty of Postage.

Call of the House, the Manner.

2 June, 1626. 2 Car. I.

THE House to be called, and no Excuse to be made, till the House be fully called over; and then the Excuses to be heard, the Forfeitures to be disposed and disbursed, in such Sort as the House shall think fit; and if any failing, and their Excuses not allowed, shall not pay the Money forfeited within a Week, then the Serjeant at Arms to be sent for him to come to the House to answer it; and, after the House is called over, the Defaulters to be presently called.

The Sum to be forfeited 10*l*. June 10, 1626.

ORDERS for setting up Lamps.

Veneris, 8 December, 1699.

Ordered,

THAT Lamps be set up every Night upon the Stairs to this House, and in the Passages and other convenient Places, for the better Accommodation

tion of the Members in their Attendance upon Committees.

Mercurii, 19 February, 1700.

Ordered, That Lamps be set up every Night upon the Stairs to this House, and in the Passages and other convenient Places, for the better Accommodation of the Members, in their Attendance upon the Service of the House and Committees.

Ordered and declared a standing Order.

Jovis, 19 February, 1701.

Ordered, That the Serjeant at Arms do give Notice to the proper Officer, that there be more Lamps or Lights set up in convenient Places leading to, and in the Passages about the House, and the Streets leading thereto.

ORDERS against Obstructions in the Streets, and against Gaming in Westminster-Hall, &c.

Mercurii, 12 February, 1667.

Ordered,

THAT the Constables, and other Officers of *Middlesex* and *Westminster* concerned, do take Care, that from eight of the Clock in the Morning, till two in the Afternoon, being the usual Times of the meeting and rising of this House, the Passages through the Streets between *Temple-Bar* and *Westminster-Hall* be kept free and open, and that no Obstruction be made by Cars, Drays, Carts, or otherwise, to hinder the Passage of the Members to and from this House; and the Serjeant at Arms attending this House is to give Notice of this Order; and it is referred to Mr. *Done* and Mr. *Bonithon*, Justices of the Peace for the County

County of *Middlesex*, to see this Order executed and performed.

Altered from nine to three o'Clock in the Afternoon.

Altered from ten to four in the Afternoon, 19 November, 1685. Altered from eleven to one, and from four to six in the Afternoon, 16 January, 1735.

Veneris, 28 January, 1697.

Ordered, That Mr. Speaker do issue his Warrant to the High Constable of *Westminster*, that the Constables in *Westminster* do take Care there be no Gaming, or other Disorders in *Westminster-Hall*, during the sitting of Parliament.

Martis, 12 December, 1699.

Ordered, The Constables in waiting do take Care that there be no Gaming, or other Disorders in *Westminster-Hall*, during the sitting of Parliament; and that there be no Annoyance by Chairmen, or otherwise, thereabouts.

Resolved, That these Orders be sent to the High Bailiff of *Westminster*, and that he do see the same put in Execution.

Ordered and declared a standing Order, 19 February, 1700.

These Orders renewed every Session.

Sabbati, 21 January, 1715.

Ordered, That the Justices of the Peace for the Cities of *London* and *Westminster* do take Care that the Scavengers keep the Passages thro' the Streets, between the *Royal-Exchange* and *Westminster-Hall*, free and open from all Nufances whatsoever; and that there be no Obstruction to hinder the Passage of the Members to and from this House; and that the Serjeant at Arms, attending this House, do give Notice of this Order to the Justices aforesaid.

Mercurii,

Mercurii, 14 January, 1729.

Ordered, That the Serjeant at Arms, attending this House, do take care that there be no gaming, or other Disorders, in the Room now fitted up for the Footmen, attending the Members of this House to wait in.

Ordered, That the Serjeant at Arms, attending this House, do take into his Custody such Footmen as shall presume to disobey the Orders of the House; and that no such Footmen be discharged out of Custody, but by special Order of the House.

Veneris, 8 February, 1739.

The House was moved, that the Journal of the House, of the 21st Day of January, 1715. in Relation to their Order to the Justices of the Peace for the Cities of *London* and *Westminster* might be read, and the same was read accordingly.

And the same Order for keeping the Streets free and open was made.

Complaint being made to the House, that great Numbers of idle and disorderly Persons do daily, under the Pretence of asking Charity, infest the Streets and publick Places of the City and Liberty of *Westminster*, to the great Annoyance and Interruption of the Members of this House in their Passage to and from this House, and of other Persons going on their lawful Occasions, notwithstanding the great Collections which have been made for the Relief of the Poor, during the present severe Season, over and above the Provision of the respective Parishes for that Purpose,

Ordered, That Mr. Speaker do send to the Justices of the Peace for the said City and Liberty, and to the Vestries of the respective Parishes there, that Directions may be given forthwith by them to the Beadles, Constables, and other Officers of the said respective Parishes, to put the Laws in Execution against all idle and disorderly Persons, who shall be found infesting the

the Streets, and other publick Places of the said City and Liberty, under Pretence of asking Charity.

ORDERS and Resolutions touching Trials on Impeachments.

Martis, 16 Martii, 1640.

MR. *Whitelock* reported from the Committee for the Earl of *Strafford*, that whereas the House of Commons have formerly declared to their Lordships, that the Earl of *Strafford* being impeached by them, do conceive it doth belong to them to resolve in what manner they will be present at this Trial; and that of Right they may come as a House, if they please; but for some special Reasons upon this Occasion, they are resolved to send their own Members, as a Committee of the whole House, authorized by the House to be present at the Trial to hear, and some particular Persons of themselves to manage the Evidence.

The House of Commons doth still continue their Resolutions in every Part thereof, and therein, and in the Matter of allowing Council, and their Lordships Reservation to their Judgments, what is Matter of Fact, and what not; the House of Commons do save to themselves, as they have formerly done, all Rights that do pertain to them, according to the Laws and the Course of Parliament; and to declare, that the Proceedings in this Case shall not be drawn into Precedent to the Prejudice of the Commons.

Ordered, That this Protestation be by way of Conference transferred to the Lords.

Upon Sir *John Culpeper's* Report from the Committee that was appointed to view the Place, and to regulate the Order, and the Manner of the Committee of the House coming and being there it was,

Ordered,

Ordered, First, That the Members of the Commons shall sit together, without intermixing of any others in that Place which is prepared for them.

Secondly, That in respect of the Inconveniency of it, the Members shall not come to meet at the House on *Monday Morning*, but come directly to the Place of Trial.

Thirdly, That for the well ordering of the Business, the same Committee, with the Addition of Mr. *Perd*, shall be present at the several Doors, at the Entrance of the Place appointed for the Members of the House, by six of the Clock ; and are directed and required by the House to admit none but such as shall bring Tickets of their Names, and the Places for which they serve ; and that none of the Members of the House shall be admitted to come in, before those that are appointed to attend at the Doors shall come in ; and that if any other Stranger, or Member of the House, shall offend this Order, those who are appointed to attend this Service shall report it to the House ; and it is further ordered, that all the House shall be there by eight of the Clock at the farthest, and that such Places shall be reserved for them that attend this Service, as they shall find to be most proper and convenient for them.

Ordered, That the Serjeant at Arms shall attend within the Court, and his Men without, to be employed in such Service as they who manage the Evidence shall appoint.

He farther reported, that the Speaker might be present in some private Place, and as a particular Member of this House ; but the Committee doth not think fit, that the House should declare any Order in in it, touching the Members of this House being covered at the Trial, the Committee thinks it not fit for them to deliver any Opinion, only they offer the Difference that may be, when both Houses meet, or Committees of both Houses, and the present Cafe, where the Lords are to meet as a House, and the Commons as a Committee of their House.

Post Meridiem.

Ordered, That those Members of the House, that are appointed to manage the Evidence, at the Trial of the Earl of *Strafford*, shall have Power, if they have been sworn at the Bar, to forbear to proceed any farther in the managing of their Evidence; until they have resorted unto the House, and have received farther Orders from, &c.

Mercurii, 24 March, 1640.

Ordered, That no Member of this House shall stand in the Place appointed for the Earl of *Strafford's* Witnesses at the Time of the Trial, unless it be such as by the said Earl are required to be there, as Witnesses.

Ordered, That no Member of this House confer with the Earl of *Strafford* during the Time of his Trial.

Mercurii, 16 February, 1641.

Mr. *Whistler*, a Member of this House, of his own Accord, did publicly confess he had committed an Error, (being a Member of this House) in being Bail for the Bishop of *Oxon*, who was accused by this House of High Treason, and that he was heartily sorry for it, which, upon his voluntary Acknowledgement thereof, the House rested satisfied, and pardoned his Offence.

Resolved, &c. That no Person or Persons whatsoever, whom this House shall accuse of High Treason, and be thereupon committed, ought to be bailed, without the Consent of this House.

Martis, 8 Martii, 1641.

Resolved, That the Committee of this House, employed to manage the Evidence at the Trial of Mr. Attorney, in the Lords House, shall not continue there, to hear any Council plead to the Matter of Fact, or to the Privilege of Parliament.

Mercurii, 11 May, 1642.

Ordered, That this Case of *St. Gregory's*, in respect it is no Impeachment, but a Declaration of the Injuries done to the Parishioners, and of their private Interest, that no Members of this House shall attend the Management of it before the Lords.

Mercurii, 10 January, 1643.

Resolved, &c. That this House doth declare, that the Lords demanding of any particular Members, and nominating the said Members to consider with about any Matters, as they did by the Message of the eighth of *January, 1643.* in the Business touching the Queen's Impeachment, is a Breach of the Privilege of this House, and therefore cannot be yielded unto, or granted by this House.

Jovis, 5 December, 1667.

Resolved, &c. That when any Subject shall be impeached of High Treason generally, by the House of Commons, before the Lords in Parliament, and desired to be forthwith secured, such Person impeached ought, for the Safety of the King and Kingdom, to be accordingly secured.

Resolved, &c. That when such impeached Person shall be secured, the Lords may limit a convenient Time to bring his particular Charge before them, for the avoiding Delays in Justice.

Lunæ, 29 November, 1680.

Ordered, That the Members of this House do sit together, without mingling with other Persons, in that Place which is prepared for them, at the Trial of the Lord *Strafford*; and that Mr. *Howard*, Captain of the Yeomen of the Guard, is desired to take Care herein.

Jovis

Jovis, 2 December, 1680.

Ordered, That nothing that hath been, or shall be said, by any Member of this House, or by any Person that shall be produced as a Witness in Behalf of the Commons of *England*, in the Trial of *William Viscount Stafford*, be printed or published without the Leave of this House.

Lunæ, 6 December, 1680. Post Meridiem.

Ordered, That no Member of this House do go into the Court in *Westminster-hall* To-morrow Morning, before this House shall have demanded Judgment at the Bar of the House of Lords, upon the Impeachment of the Commons of *England*, against *William Viscount Stafford*, and that Mr. *Howard* have Notice hereof.

Martis, 4 Junii, 1689.

Resolved, That it is the Opinion of this House, that a Pardon is not pleadable in Bar of an Impeachment in Parliament.

Sabbati, 2 July, 1698.

Ordered, That the Officers and Doorkeepers of this House do attend in *Westminster-hall* upon *Monday* Morning next, at the Place appointed for the Committees of this House, to be present at the Trial of *Peter Longueville*, upon the Impeachment against him, and do take care that none but Members be admitted into that Place.

Martis, 17 June, 1701. 13 Gul.

Ordered, That no Member of this House do presume to go into the Place appointed by the Lords for the Trial of the Lord *Somers*, without the Leave of this House.

Veneris, 20 Junii, 1701.

Resolved, That the Lords have refused Justice to the Commons, upon the Impeachment against the Lord *Somers*, by denying them a Committee of both Houses, which was desired by the Commons, as the proper and only Method of settling the necessary Preliminaries, in order to the proceeding to the Trial of the said Lord *Somers* with Effect ; and afterwards, by proceeding to a pretended Trial of the said Lord, which could tend only to protect him from Justice, by colour of an illegal Acquittal ; against which Proceedings of the Lords, the Commons do solemnly protest, as being repugnant to the Rules of Justice, and therefore null and void.

Resolved, That the House of Lords, by the pretended Trial of *John Lord Somers*, have endeavoured to overturn the Right of Impeachment, lodged in the House of Commons by the antient Constitution of this Kingdom, for the Safety and Protection of the Commons against the Power of great Men ; and have made an Invasion upon the Liberties of the Subject, by laying a Foundation of Impunity for the greatest Offenders.

A Motion being made, and the Question being put, that the ill Consequences which may at this Time attend the Delay of the Supplies given by the Commons for the preserving the publick Peace, and maintaining the Balance of *Europe*, by supporting our Allies against the Power of *France*, are to be imputed to those, who, to procure an Indemnity for their own enormous Crimes, have used their utmost Endeavours to make a Breach between the two Houses.

It was resolved in the Affirmative.

Ordered, That no Member of this House do presume to appear on *Monday* next, at the pretended Trial of the Earl of *Orford*, upon Pain of incurring the utmost Displeasure of this House.

Luna,

Lunæ, 2 November, 1702.

Resolved, That Right hath not been done the Commons, upon the Impeachments before the Lords brought against diverse Peers in the thirteenth Year of his late Majesty's Reign.

Veneris, 14 February, 1709.

Ordered, That nothing that shall be said by any Member of this House, or by any Person that shall be produced as a Witness in Behalf of the Commons of *Great Britain*, in the Trial of Dr. *Henry Sacheverell*, be printed or published, without the Leave of this House.

Ordered, That no Persons, but Members of this House, do presume to sit in the Places prepared for the said Members in *Westminster-hall*, at the Trial of Dr. *Sacheverell*.

Ordered, That the Passage for the Members of the House, to and from their Places in *Westminster-Hall*, be kept clear, for their more convenient Passage; and that the Serjeant and Officers attending this House do take Care accordingly.

Sabbati, 25 February, 1709.

Ordered, That the Door of the Place appointed for the Members of this House, at the Trial of the said Dr. *Henry Sacheverell*, be not opened till Mr. Speaker comes to the same.

Ordered, That the Managers of the Impeachment against Dr. *Henry Sacheverell*, do first go out of the House to the Places appointed for them in *Westminster-hall*, before the other Members do go out of the House.

Ordered, That after Mr. Speaker shall leave the Chair, according to the Resolution of the House, to be at the Trial of Dr. *Henry Sacheverell*, as a Committee of the whole House, the Members be called over by the Clerk by their Counties, as usual, for the more regular Proceeding.

Ordered, That no Member do presume to go out of the House, till the County for and in which he serves be called.

Ordered, That the Constables of *Westminster* give their Attendance for keeping the Passage to and from *Westminster-hall* clear, that the Members of this House may not be incommoded.

The same Orders 9 *February*, 15 *March*, 1715. and 24 *June*, 1717. at Lord Oxford's Trial.

ORDERS and Resolutions touching Appeals and Writs of Error.

Sabbati, 9 May, 1668.

THE House then resumed the Consideration of the Question before proposed, which being again debated,

Resolved, &c. That whosoever shall be aiding or assisting in putting the Order or Sentence of the House of Lords, in the Case of *Thomas Skinner* against the *East-India* Company, in Execution, shall be deemed a Betrayer of the Rights and Liberties of the Commons of *England*, and an Infringer of the Privilege of this House.

Resolved, &c. That the Votes of the Lords, delivered at the late Conference, be kept in the Hands of the Clerk of this House, but not entered in the Journal.

Sabbati, 15 May, 1675.

Resolved, &c. That whosoever shall appear at the Bar of the Lords House, to prosecute any Suit against any Member of this House, shall be deemed a Breaker and Infringer of the Rights and Privileges of this House.

Martis,

Martis, 18 May, 1675.

Sir *Richard Temple* reports from the Lords, that he had attended their Lordships, according to the Commands of this House, with the Message in the Case of Mr. *Onslow*, to which the Lords returned an Answer, which being in Writing, he delivered in at the Clerk's Table and read, and is as follow, *viz.*

The Lords do declare, that it is the undoubted Right of the Lords in Judicature to receive and determine in Time of Parliament, Appeals from inferior Courts, although a Member of either House be concerned, that there may be no Failure of Justice in the Land; and from this Right and the Exercise thereof their Lordships will not depart.

And the Matter of the Lord's Answer being debated.

Resolved, &c. That it is the undoubted Right of this House, that none of their Members be summoned to attend, or be proceeded against in the House of Lords, during the sitting or Privilege of Parliament, 18 and 19 May, 1675.

Lunæ, 7 Junii, 1675.

A Copy of an Order of the Lords Spiritual and Temporal in Parliament assembled, dated the 31 May last, and served on Sir *John Fagg* on Friday last, was tendered and read, whereby the Lords have ordered to hear Council at the Bar, in the Cause upon the Appeal, there brought by *Thomas Shirley*, Esq; against Sir *John Fagg*, and the Answer thereunto, on Tuesday the 8th of this Instant June, at ten o'Clock in the Forenoon, and a Debate arising thereupon,

Resolved, Nemine Contradicente, That as to the Case of Appeals brought against Sir *John Fagg* in the House of Lords, Sir *John Fagg* shall have the Protection and Assistance of this House.

Resolved, Nemine Contradicente, That if any Person or Persons, shall be aiding or assisting, in putting in Execution any Sentence, or Judgment that shall be

given by the House of Lords, upon the Appeal brought by Dr. *Shirley* against Sir *John Fagg*, a Member of this House; such Person and Persons shall be adjudged, and taken to be Betrayers of the Rights and Liberties of the Commons of *England*, and the Privilege of this House; and shall be proceeded against accordingly.

Ordered, That these Votes be made Public by setting them up in *Westminster-hall*, and in the Lobby of this House; and that the Clerk of the House do take Care to see it done.

Lunæ, 7 Junii, 1675. Post Meridiem.

Resolved, Nemine Contradicente, That no Person committed for Breach of Privilege, by Order of this House, ought to be discharged during the Sessions of Parliament, but by Order or Warrant of this House.

Resolved, Nemine Contradicente, That the Lieutenant of the *Tower*, in receiving and detaining in Custody Sir *John Churchill*, Mr. Serjeant *Pemberton*, Mr. Serjeant *Peck*, and Mr. *Charles Porter*, hath performed his Duty according to Law, and for his so doing he shall have the Assistance and Protection of this House.

Resolved, Nemine Contradicente, That the Lieutenant of the *Tower*, in Case he hath received, or shall receive any Writ, Warrant, Order or Commandment, to remove or deliver any Person or Persons, committed for Breach of Privilege, by any Order or Warrant of this House, shall not make any Return thereof, or yield any Obedience thereto before he hath first acquainted this House, and received their Order and Direction how to proceed therein.

Ordered, That these Resolves be immediately sent to the Lieutenant of the *Tower*.

Mercurii, 9 Junii, 1675.

Resolved, Nemine Contradicente, That no Commoner of *England*, committed by Order or Warrant of the House of Commons for Breach of Privilege, or Contempt

Contempt of that House, ought without Order of that House to be by any Writ of *Habeas Corpus*, or other Authority whatsoever, made to appear and answer, and to do and receive a Determination in the House of Peers during that Session of Parliament, wherein such Person was so committed.

Resolved, Nemine Contradicente, That the Order of the House of Peers, for the issuing out Writs of *Habeas Corpus*, concerning Mr. Serjeant *Peck*, Mr. Serjeant *Pemberton*, Sir *John Churchill*, and Mr. *Charles Porter*, is insufficient and illegal, for that it is general and express, no particular Cause of Privilege and Commands, the King's Great Seal to be put to Writs not returnable, before the said House of Peers.

Resolved, Nemine Contradicente, That the Lord-Keeper be acquainted with those Resolutions, to the End the said Writs of *Habeas Corpus* may be superseded, as contrary to Law and the Privilege of this House.

Veneris, 19 November, 1675.

Whereas this House hath been informed of several Appeals depending in the House of Lords, from Courts of Equity, to the great Violation of the Rights and Liberties of the Commons of *England*. It is this Day,

Resolved and Declared, That whosoever shall sollicite, plead or prosecute any Appeal against any Commoner of *England*, from any Court of Equity before the House of Lords, shall be deemed and taken as a Betrayer of the Rights and Liberties of the Commons of *England*, and shall be proceeded against accordingly.

Resolved, That Copies of this Resolution and Declaration, be forthwith publicly affixed upon the Door of the Lobby of this House, and *Westminster-ball-gates*, and upon the Gates of the two *Serjeants-Inns*, and the *Four Inns* of Court, and the several Inns of *Chancery*, to the End all Persons concerned may take Notice thereof, and that the Serjeant at Arms now attending

tending this House, do cause the same to be so affixed accordingly.

Lunæ, 27 Nov. 1704. 3 Annæ.

Resolved, That this House will not give Leave to to any of their Members to plead at the Bar of the Lords House in Cases of Appeals from Courts of Equity.

On the King's taking Notice of Business transacted in the House before determined, Breach of Privilege, &c.

Jovis, 12 November, 1640.

Ordered,

THAT Mr. Speaker be intreated to be here this Afternoon, to sit at the great Committee for *Irish* Affairs, and if there be Cause to resume the House.

Upon Mr. Comptroller's saying that his Majesty, taking Notice, &c. it was observed the great Inconveniencies that might fall upon this House, if his Majesty should be informed of any Thing that is in Agitation in this House before it was determined. It was moved that some Course might be taken for preventing this Inconveniency.

Martis, 6 Julii, 1641.

First, Resolved upon the Question, That the issuing out of the Warrants from the Lords and others of the Privy-Council, compelling Mr. *Hollis*, and the rest of the Members of that Parliament, 3 *Car. I.* during that Parliament, to appear before them, is a Breach of the Privilege of Parliament by those Privy-Counselors.

Secondly,

Secondly, Resolved, &c. That the committing of Mr. *Hollis* and the rest, by the Lords and others of the Privy-Council, during the Parliament, is a Breach of the Privilege of Parliament, by those Lords and others.

Thirdly, Resolved, &c. That the Searching and Sealing of the Chamber, Study and Papers of Mr. *Hollis*, Mr. *Selden*, and Sir *John Elliot*, being Members of this House, and during the Parliament, and issuing Warrants to that Purpose, was a Breach of the Privilege of Parliament, and by those that executed.

Fourthly, Resolved, &c. That the exhibiting an Information in the Court of Star-Chamber, against Mr. *Hollis* and the rest, for Matters done by them in Parliament, being Members of the Parliament, and the same so appearing in the Information, is a Breach of Privilege of Parliament.

Fifthly, Resolved, &c. That Sir *Robert Heath*, Sir *Humphry Davenport*, Sir *Henage Finch*, Mr. *Hudson*, and Sir *Robert Berkley*, that subscribed their Names to the Information, are Guilty thereby of the Breach of Privilege of Parliament.

Sixthly, Resolved, &c. That there was Delay of Justice towards Mr. *Hollis*, and the rest that appeared upon the *Habeas Corpus*, in that they were not bailed in *Easter* and *Trinity* Term, 5 Car.

Seventhly, Resolved, &c. That Sir *Nicholas Hyde*, then Chief-Justice of the *King's-Bench*, is guilty of this Delay.

Eighthly, Resolved, &c. That Sir *William Jones*, then being one of the Justices of the Court of *King's-Bench*, is guilty of this Delay.

Ninthly, Resolved, &c. That Sir *James Whitelock*, then one of the Justices of the *King's-Bench*, is not guilty of this Delay.

Jovis, 8 Julii, 1641.

Tenthly, Resolved, &c. That Sir *George Crooke*, Knight, then one of the Judges of the *King's-Bench*, is not guilty of this Delay. *Ele-*

Eleventhly, That the continuing of Mr. *Hollis* and the rest of the Members in Prison, by the then Judges of the *King's-Bench*, for not putting in Sureties of their good Behaviour, was without just or legal Cause.

Twelfthly, That the exhibiting of the Information against Mr. *Hollis*, Sir *John Elliot*, and Mr. *Valentine*, in the *King's-Bench*, being Members of the Parliament, for Matter done in Parliament, was a Breach of the Privilege of Parliament.

Thirteenthly, That the over-ruling of the Pleas pleaded by Mr. *Hollis*, Sir *John Elliot*, and Mr. *Valentine*, upon that Information, to the Jurisdiction of the Court, was against the Law and Privilege of Parliament.

Fourteenthly, That the Judgment given upon a *nihil dicit*, against Mr. *Hollis*, Sir *John Elliot*, and Mr. *Valentine*, and Fine thereupon imposed, and their several Imprisonments thereupon, was against the Law and the Privilege of Parliament.

Fifteenthly, That the several Proceedings against Mr. *Hollis* and the rest, by committing them, and prosecuting them in the *Star-Chamber*, and in the *King's-Bench*, is a Grievance.

Sixteenthly, That Mr. *Hollis*, Mr. *Strode*, Mr. *Valentine*, and Mr. *Long*, and the Heirs and Executors of Sir *John Elliot*, Sir *Miles Hobard*, and Sir *Peter Harman* respectively, ought to have Reparation for their respective Damages and Sufferings against the Lords and others of the Council, that put their Hands to the Information in the *Star-Chamber*, and the Judges of the *King's-Bench*.

Seventeenthly, That Mr. *Lawrence Whitaker* being a Member of the Parliament, 3 Car. and entring into the Chamber of Sir *John Elliot*, (being likewise a Member of this Parliament) searching of his Trunks and Papers and Sealing of them, is guilty of the Breach of Privilege of Parliament, this being done before the Dissolution of the Parliament.

Resolved upon the Question, That Mr. *Lawrence Whitaker* being guilty of the Breach of Privilege, as
aforesaid

The Lords agreed to the same, and it was to be presented by Committees of both Houses.

Lunæ, 20 December, 1641.

Resolved, &c. That in no Case a Protestation ought to be desired by any Member of this House, or admitted by this House being desired.

Lunæ, 3 January, 1641.

Resolved upon the Question, That the several Parties now sealing up the Trunks or Doors, or seizing the Papers of Mr. *Pim*, Mr. *Hollis*, or any other Member of this House, that the Serjeant shall be informed of, shall be forthwith apprehended, and brought hither as Delinquents ; and that the Serjeants shall have Power to break open the Doors, and to break the Seals from off the Trunks.

Resolved upon the Question, That Mr. Speaker shall sign a Warrant directed to the Serjeant at Arms attending on this House, to the Effect of the Order abovesaid.

Resolved upon the Question, That if any Persons whatsoever shall come to the Lodging of any Member of this House, and there do offer to seal the Trunks, Doors, or Papers of any Member of this House, or to seize upon their Persons, that then such Members shall require the Aid of the Constable, to keep such Persons in safe Custody, till this House do give further Order ; and this House doth further declare, that if any Person whatsoever shall offer to arrest or detain the Person of any Member of this House, without first acquainting this House therewith, and receiving further Order from this House, that it is lawful for such Member, or any other Person to assist him, and stand upon his or their Guard of Defence, and to make Resistance according to the Protestation taken to defend the Privilege of Parliament.

Mr. *Francis*, Serjeant at Arms, sending in Notice, that he was commanded to deliver a Message from his Majesty to Mr. Speaker, whereupon he was called in to

to the Bar without the Mace, and there he delivered this Message :

‘ I am commanded by the King’s Majesty, my
 ‘ Master, upon my Allegiance, that I should come
 ‘ and repair to the House of Commons, where Mr.
 ‘ Speaker is, and there to require of Mr. Speaker five
 ‘ Gentlemen, Members of the House of Commons ;
 ‘ and that these Gentlemen being delivered, I am
 ‘ commanded to arrest them in his Majesty’s Name of
 ‘ High Treason.

‘ Their Names are Mr. *Hollis*, Sir *Arthur Hasle-*
 ‘ *rigg*, Mr. *Pim*, Mr. *Hampden*, Mr. *William*
 ‘ *Strode*.’

Mr. Chancellor of the Exchequer, the Lord *Falk-*
land, Sir *Philip Stapleton*, and Sir *John Hotbham*, are
 appointed to attend his Majesty, and to acquaint his
 Majesty, that this Message from his Majesty is a Mat-
 ter of great Consequence ; it concerns the Privilege of
 Parliament, and therein the Privilege of all the Com-
 mons of *England*, that this House will take it into
 serious Consideration, and will attend his Majesty with
 all Humility and Duty, with as much Speed as the
 Greatness of the Business will permit ; and that, in the
 mean time, this House will take Care, that those Gen-
 tlemen, mentioned in the Message, shall be ready to
 answer any legal Charge laid against them.

Mr. Speaker did, by Command of the House, en-
 join these five Members particularly, one by one, to
 give their Attendance on this House *de Die in Diem*;
 till the House take further Order.

Ordered, That the Serjeant do acquaint Serjeant
Francis, who attends without, that this House will
 send an Answer to his Majesty to the Message he
 brought, by Members of their own House.

Martis, 4 January, 1641. Post Meridiem.

His Majesty came into the House, and took Mr.
 Speaker’s Chair.

Gentlemen,

aforesaid, shall be sent forthwith to the *Tower*, there to remain Prisoner, during the Pleasure of the House.

Mr *Whitaker* was called down, and kneeling at the Bar, Mr. Speaker pronounced this Sentence against him.

Veneris, 10 December, 1641.

Resolved, &c. That the setting of any Guard about this House, without the Consent of this House, is a Breach of the Privilege of this House, and therefore such Guards ought to be discharged.

Resolved, &c. That this Guard shall be immediately discharged by the Command of this House.

Martis, 14 December, 1641.

The Gentleman-Usher of the Black Rod came and acquainted Mr. Speaker, that his Majesty had sent for the House of Commons to attend him presently in the Lords House.

N. B. The King's Speech not entered.

To represent unto the Lords how the antient Privilege of the Lords and Commons were now broken, in regard that his Majesty took Notice of a Bill, that was passing before it be represented to his Majesty, by the Consent of the Lords and Commons; and likewise in prescribing Savings, or Limitations, to a Bill, before it be presented to his Majesty, in the usual manner; and to desire their Lordships to join with this House, in petitioning his Majesty, that this Inconveniency, and Breach of Privilege, for the future may be forborn.

Resolved upon the Question, That a Message be sent to the Lords, to desire a Conference with the Lords, concerning the Breach of Privilege of Parliament in two Particulars now moved concerning his Majesty's Speech, and to desire their Lordships to join with this House, in acquainting his Majesty herewithal in an humble Petition; and to desire that the like Inconveniency may be forborn for the future.

Jovis,

Jovis, 16 December, 1641.

Mr. *Pim* reports from the Committee appointed to consider of the Breach of Privilege of Parliament, by reason of his Majesty's Speech to both Houses on *Tuesday* last ; first, it was

Resolved upon the Question, That the Privilege of Parliament was broken, by his Majesty's taking Notice of the Bill for Pressing, being in Agitation in both Houses, and not agreed upon.

Secondly, Resolved upon the Question, That the Privilege of Parliament is broken, that his Majesty should propound a Limitation, and provisional Clause to be added to the Bill, before it was presented to him by Consent of both Houses.

Thirdly, Resolved, &c. That the Privilege of Parliament is broken, in that his Majesty did express his Displeasure against some Persons, for Matters moved or debated in Parliament, during the Debate and Preparation of that Bill.

That a declaratory Protestation shall be entered in the House, of the Claim of those Privileges and Liberties ; and that the Lords shall be moved, that the like declaratory Protestation be entered in the Journals of their House.

That a petitionary Remonstrance to his Majesty shall be prepared, declaring the Right of Parliament to these Privileges, and the Particulars wherein they have been broken, with an humble Desire, that the like may not be done hereafter ; and that his Majesty will be pleased to discover the Parties, by whose Misinformation and evil Council his Majesty was induced to this Breach of Privilege, that so they may receive condign Punishment for the same ; and that it be desired, that his Majesty would take no Notice of any particular Man's Speeches or Carriage, concerning any Matter treated in Parliament.

A declaratory Protestation, and a petitionary Remonstrance to the Effect above-mentioned, were presented to the House and read.

The

Gentlemen,

‘ I am sorry to have the Occasion to come unto you ;
 ‘ I sent a Serjeant at Arms, upon a very important
 ‘ Occasion, to apprehend some by my Command,
 ‘ who were accused of High Treason, whereunto I did
 ‘ expect Obedience, and not a Message ; and I must
 ‘ declare unto you here, that albeit no King that ever
 ‘ was in *England* shall be more careful of your Privi-
 ‘ leges, to maintain them to the utmost of his Power,
 ‘ than I shall do ; yet you must know, that, in Cases
 ‘ of Treason no Person hath a Privilege ; and there-
 ‘ fore I am come to know, if any of these Persons that
 ‘ I have accused here ; for I must tell you, Gentle-
 ‘ men, that, so long as these Persons that I have ac-
 ‘ cused (for no slight Crime, but for Treason) are se-
 ‘ creted, I cannot expect that this House will be in the
 ‘ right way that I do heartily wish it : Therefore I am
 ‘ come to tell you, that I must have them wherefo-
 ‘ ever I find them.——Well, since I see that all the
 ‘ Birds are flown, I do expect from you, that you
 ‘ shall send them unto me, as soon as they return hi-
 ‘ ther ; but I assure you, on the Word of a King, I
 ‘ never did intend any Force, but shall proceed against
 ‘ them in a legal and fair way, for I never meant any
 ‘ other.

‘ And now, since I see I cannot do what I came
 ‘ for, I think this no unfit Opportunity to repeat what
 ‘ I have said formerly, that whatsoever I have done in
 ‘ Favour, and to the Good of my Subjects, I do mean
 ‘ to maintain, &c.

‘ I will trouble you no more, but tell you, I do ex-
 ‘ pect, as soon as they come to the House, you will
 ‘ send them to me ; otherwise I must take my own
 ‘ Course to find them.’

When the King was looking about the House, the
 Speaker standing below by the Chair, his Majesty
 asked him, Whether any of these Persons were in the
 House ? Whether he saw any of them ? And where

they were? To which the Speaker, falling on his Knees, thus answered ;

May it please your Majesty,

‘ I have neither Eyes to see, nor Tongue to speak
‘ in this Place, but as the House is pleased to direct
‘ me, whose Servant I am here ; and I humbly beg
‘ your Majesty’s Pardon, that I cannot give any other
‘ Answer than this to what your Majesty is pleased to
‘ demand of me.’

Mercurii, 5 January, 1641.

Whereas his Majesty, in his Royal Person, yesterday, being the fourth Day of *January*, 1641, did come to the House of Commons, attended with a great Multitude of Men, armed in a warlike manner, with Halberds, Swords, and Pistols, who came up to the very Door of the House, and placed themselves there, and in other Places and Passages near to the House, to the great Terror and Disturbance of the Members thereof, then sitting ; and, according to their Duty, in a peaceable and orderly manner, treating of the great Affairs of both the Kingdoms of *England* and *Ireland* ; and his Majesty, having placed himself in the Speaker’s Chair, did demand the Persons of divers Members of that House to be delivered unto him :

It is this Day declared by the House of Commons, That the same is a high Breach of the Right and Privilege of Parliament, and inconsistent with the Liberties and Freedom thereof.

And therefore this House doth conceive they cannot, with the Safety of their own Persons, or the Indemnity of the Rights and Privilege of Parliament, sit here any longer, without a full Vindication of so high a Breach, and a sufficient Guard, wherein they may confide ; for which both Houses jointly, and this House by itself, have been humble Suitors to his Majesty, and cannot yet obtain.

Jovis,

Jovis, 13 January, 1641.

Articles of Impeachment against five Members of this House, depending in the Lords House, was read.

Lord Grey is to go up to the Lords with this Message, to acquaint their Lordships that this House finds, under the Clerk's Hand of their House, that there are Articles of High Treason exhibited in their House against diverse Members of this House, and to desire their Lordships to be pleased to inform this House, who did bring in the said Articles.

Lord Grey brings Answer, that Mr. Attorney-General did exhibit those Articles.

Mr. Brown reports from the Committee, appointed to consider of Heads of a Conference, concerning the Articles against the five Members of this House *in hæc Verba* ;

Whereas we understand from your Lordships, that the King's Attorney-General, in the House of Peers, hath preferred these Articles of High Treason, and other Misdemeanors, against Mr. *Denzill Holles*, Sir *Arthur Haslerigg*, Mr. *John Pim*, Mr. *John Hampden*, and Mr. *William Strode*, Members of the House of Commons, we declare that this is a high Breach of the Privilege of the House of Commons, for which in due Time we shall desire Justice; and for the Intent that the Truth may be discovered, and that legal Proceedings may be speedily had, we desire your Lordships to require Mr. Attorney to answer these Questions.

The four Questions proposed to be asked him, and his Answers. *Vide 15 January, 1641.*

Resolved, &c. That these shall be the Heads of the Conference, and that these Questions shall be then offered to the Lords to be propounded to Mr. Attorney.

Resolved, &c. That the Impeachment made by Mr. Attorney in the House of Peers against the five Members of this House, is a high Breach of the Privilege of this House.

Sabbati,

Sabbati, 15 January, 1641.

Ordered, That some way be thought of for charging Mr. Attorney by this House as criminous, for exhibiting these Articles in the House of Lords against Members of this House, without any Information or Proof that appears; and that this House, and the Gentlemen charged by him, may have Reparation from him; and that he may put in Security, to stand the Judgment of Parliament.

Resolved, &c. That this Act of Mr. Attorney's, in this Impeachment against Members of this House, is illegal, and a high Crime.

Resolved, &c. That the Lords shall be desired by a Message, that Mr. Attorney put in good Security to stand to the Judgment of Parliament.

Resolved, &c. That the Impeachment made by Mr. Attorney in the House of Peers against the five Members of this House, and the Proceedings thereupon, is a high Breach of the Privilege of Parliament.

Articles of Impeachment against Mr. Attorney, 12 February, 1641.

Bill against him ordered 2 February, 1641.



F I N I S.

